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**ELIMINATING PROVISION FOR CHARGING OF
FEDERAL EMPLOYEES' SALARIES FOR SERVICE IN
PREVIOUS YEARS TO CURRENT APPROPRIATIONS**

HEARING
BEFORE THE
COMMITTEE ON
POST OFFICE AND CIVIL SERVICE
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH CONGRESS
FIRST SESSION
ON



H.R. 6134 and H.R. 6261

BILLS TO AMEND THE FEDERAL EMPLOYEES PAY ACT OF
1945 TO ELIMINATE THE AUTHORITY TO CHARGE TO CER-
TAIN CURRENT APPROPRIATIONS OR ALLOTMENTS THE
GROSS AMOUNT OF THE SALARY EARNINGS OF FEDERAL
EMPLOYEES FOR CERTAIN PAY PERIODS OCCURRING IN
PART IN PREVIOUS FISCAL YEARS

MAY 6, 1959

Printed for the use of the Committee on Post Office and Civil Service



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SUBCOMMITTEE APPOINTED TO CONSIDER H.R. 6134 AND H.R. 6261

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ELIMINATING PROVISION FOR CHARGING OF FEDERAL EMPLOYEES' SALARIES FOR SERVICE IN PREVIOUS YEARS TO CURRENT APPROPRIATIONS

WEDNESDAY, MAY 6, 1959

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON
POST OFFICE AND CIVIL SERVICE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m. in room 215, House Office Building, Hon. George E. Shipley (subcommittee chairman) presiding.

Mr. SHIPLEY. The meeting will come to order.

This subcommittee was appointed to consider H.R. 6134 and H.R. 6261, introduced by Mr. Murray and Mr. Rees, chairman and ranking minority member, respectively, of the House Post Office and Civil Service Committee. The bills, which are identical, will amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

(The bill H.R. 6134 follows:)

[H.R. 6134, 86th Cong. 1st sess.]

A BILL To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 604(b) of the Federal Employees Pay Act of 1945 (59 Stat. 303; 5 U.S.C. 944(b)) is amended by striking out the following sentence: "When a pay period for such officers and employees begins in one fiscal year and end in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period."

Mr. SHIPLEY. The members of the subcommittee are Representatives Prokop, Foley, Cunningham, and Barry, and I was designated chairman.

This legislation represents a recommendation of the Executive Office of the President, submitted by Director of the Bureau of the Budget, Maurice H. Stans, on March 4, 1959.

The purpose of the legislation is to eliminate a contradiction between certain provisions of the Federal Employees Pay Act of 1945 and subsequently approved appropriation provisions. In brief, under the 1945 Pay Act when a pay period for Federal employees covers parts of 2 fiscal years the entire cost of the pay period may be charged to appropriations for the later fiscal year. The report of the House Appropriations Committee on the Supplemental Appropriation Act, 1948, placed all agencies on notice that salary appropriations for the

fiscal year 1948 and all other years are to be applied solely to salaries earned for workdays occurring in the particular year.

We have with us this morning Mr. William F. McCandless, Assistant Director for Budget Review, Bureau of the Budget, accompanied by Mr. Carl W. Tiller, Chief of Budget Methods, Bureau of the Budget, who will present the views of the administration on this legislation.

**STATEMENT OF WILLIAM F. McCANDLESS, ASSISTANT DIRECTOR
FOR BUDGET REVIEW, BUREAU OF THE BUDGET, ACCOMPANIED
BY CARL W. TILLER, CHIEF OF BUDGET METHODS, BUREAU OF
THE BUDGET**

Mr. McCANDLESS. Mr. Chairman and members of the committee, I am glad to be here this morning to discuss these two bills which incorporate a recommendation of the Bureau of the Budget which was transmitted to the Congress by a letter from the Director of the Bureau of the Budget dated March 4, 1959.

I would like to ask permission that this letter be put into the record. It explains rather fully the basis for the recommendation. I would then like to go on and sketch briefly for the committee the reasons for the proposal.

Mr. SHIPLEY. The letter will be entered in the record at this point. (The letter referred to follows:)

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 4, 1959.

Hon. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: We respectfully submit for consideration by the Congress proposed legislation, drafted by the Bureau of the Budget, to amend section 604(b) of the Federal Employees Pay Act of 1945, as amended, by repealing the last sentence of that section. The sentence which would be repealed provides that when a pay period begins in one fiscal year and ends in another, an agency may charge the total cost for a pay period to the appropriation current at the end of the period.

Although section 604(b) of the Pay Act would permit the charging of total payrolls for such pay periods to the appropriation for the new year, the House Committee on Appropriations in its report on the Supplemental Appropriation Act, 1948 (H. Rept. 990, 1st sess., 80th Cong.), stated:

"The Federal Employees Pay Act of 1946 permits charging the earnings for a pay period falling in 2 fiscal years to the appropriation current at the end of the pay period although there is no bar in the act to following the normal procedure of splitting the charge between the 2 fiscal years involved in which event the exact pay for the days in each fiscal year would be charged to that year's accounts. The committee wishes to put all agencies on notice that the appropriations for the fiscal year 1948—as for any other year—are intended to cover earnings for all the workdays occurring in that year. No deficiency estimates will be considered in future years to cover earnings for workdays carried over from prior years."

Since that time budgetary and apportionment instructions (Bureau of the Budget Circulars A-11 and A-34) have required that budgets be prepared and funds be apportioned on a basis whereby the pay costs of all the days in any fiscal year are charged to the appropriation for that fiscal year only. These instructions are consistent not only with the views expressed in the above-quoted report, but also with the accrual basis of accounting and the cost basis of budgeting endorsed by the Congress in Public Law 863, 84th Congress, and Public Law 85-759.

So that fiscal year budgets and reports on expenditures may be accurate and meaningful, it is desirable that those portions of each such year-end payroll period chargeable to the respective fiscal years be properly allocated to each. This practice has been followed since 1947.

The proposed amendment of section 604(b) of the Federal Employees Pay Act would repeal this now unused and inappropriate authority. Accordingly, early and favorable consideration of this draft bill is recommended.

Sincerely yours,

MAURICE H. STANS, *Director*.

Mr. McCANDLESS. As you stated, Mr. Chairman, these two bills would repeal a provision of the Pay Act of 1945 which provides that when a pay period begins in one fiscal year and ends in another an agency may charge the total cost for a pay period to the appropriation current at the end of the period. In other words, the present allows you to charge pay earned in one fiscal year to the appropriation for the subsequent fiscal year.

This provision was necessary because this same act, the Pay Act of 1945, changed the basis for Federal payrolling from a semimonthly to a biweekly basis. This left a part of the pay earned in one year that is not payable or paid in that year but is paid in the subsequent year, and this provision was designed to take care of that particular problem. The objective was to simplify the payrolling process and that was what was paramount in the minds of those concerned at that time. It did create problems with respect to the financing of payrolls, the budgeting for them and the appropriations for them, because ordinarily up to that point we would have provided for the pay earned in the year—budgeting would be on the basis of the pay earned in that year.

The House Appropriations Committee took cognizance of this and asked that the practice being followed up to that time continue to be followed, with the understanding that we would provide in each year for the pay earned in that year. The Bureau of the Budget put out instructions requiring that, and we have followed that practice ever since. So the provision in the Pay Act of 1945, which was a permissive provision and not a mandatory one, has not been followed in practice all this time.

Then later, after the views were expressed by the House Committee on Appropriations in its report on the Supplemental Appropriation Act of 1948, two laws recently passed by Congress, Public Law 863 of the 84th Congress and Public Law 759 of the 85th Congress, recognized the accrual basis of accounting and also the cost basis of budgeting, both of which would require that pay earned in a year would be the basis for budgeting for Government pay.

So we believe that it is now desirable to amend the law so that this provision, which is really not being used and which in the light of developments since its enactment is inappropriate, be removed from the statute books.

Mr. SHIPLEY. Would it be correct to make this observation, that these bills, H.R. 6134 and H.R. 6261, do something that should have been done in the past but has just been overlooked?

Mr. McCANDLESS. I think that is correct.

Mr. SHIPLEY. I understand there is no objection from the administration or the Post Office Department or anybody involved?

Mr. McCANDLESS. That is correct. The two main agencies involved are the Civil Service Commission and the General Accounting Office. The Civil Service Commission offered no objection to our proposing the legislation. The General Accounting Office says it sees no reason for objection, although it sees no urgent reason to amend the act, because we are already following the practice we propose.

But we think it would be better if the permissive legislation were removed from the statute books, so that the law would be consistent with the current practice.

Mr. SHIPLEY. Are there any questions?

Mr. FOLEY. Let me see if I understand this correctly. Do I understand that because of the biweekly payroll method that was instituted under the Pay Act of 1945 that you come up to the end of June in one fiscal year and you carry over the pay period to the first week of July in the next fiscal year which would constitute the biweekly period for which you would pay the person, and that biweekly payment covers 1 week's work performed in the past fiscal year and 1 week in the succeeding fiscal year?

Mr. McCANDLESS. That is about the situation.

Mr. FOLEY. You say that is about the situation. What is not right about it?

Mr. McCANDLESS. Every year we are paying for 260 days. That is the way the biweekly system works, 52 weeks of 5 workdays each week, 260 days. The pay earned is actually a little bit more than that.

Mr. TILLER. One more day a year and on leap year two more days.

Mr. McCANDLESS. That is right. So that each year you are paying less than is earned but you are providing for that in your appropriations.

Mr. FOLEY. You are paying less than what the employees earn?

Mr. McCANDLESS. Yes.

Mr. FOLEY. And you pick up the gap in the next fiscal year in your first payroll in July?

Mr. McCANDLESS. That is right.

Mr. FOLEY. Then what you do, you charge back that first week's pay in July to the previous fiscal year's appropriation?

Mr. McCANDLESS. That is correct.

Mr. FOLEY. That is a bookkeeping transaction?

Mr. McCANDLESS. Exactly.

Mr. FOLEY. But that simple bookkeeping transaction, what does it do? Does it require making future projections in your budget? Say you are going into the 1961 fiscal year shortly, this little gimmick of 1 or 2 days' carryover, does that cause quite a bit of additional accounting work to provide for that?

Mr. McCANDLESS. If we were budgeting on the basis that they might either charge this to the current year's appropriation or to the coming year's appropriation, then it would cause problems because it would be an inconsistent basis of computing the budget each year.

Mr. FOLEY. Today, though, it is a consistent basis?

Mr. McCANDLESS. That is right. We provide in each year's appropriation for the pay earned in that year.

Mr. FOLEY. Including the extra day or two, as the case may be?

Mr. McCANDLESS. That is correct.

Mr. FOLEY. And what you want to do by this legislation is carry that 1 or 2 days over to the next year?

Mr. McCANDLESS. No, sir. We have legislation that would permit us to do that. We are now not doing it and we would like to make the legislation consistent with the current practice.

Mr. FOLEY. Which is what?

Mr. McCANDLESS. To provide for the amount earned in the year and to charge the payroll to the year in which it is earned.

Mr. FOLEY. That is all I have, Mr. Chairman.

Mr. SHIPLEY. Thank you. Are there any further questions?

Mr. BARRY. I have no questions. I think this legislation is highly appropriate.

Mr. SHIPLEY. If there are no further questions we will adjourn and go into executive session. I would like to thank the witnesses for coming up and enlightening us on this, because I for one was not absolutely clear on the purpose of the legislation. Thank you very much.

(Thereupon, at 10:40 a.m., May 6, 1959, the hearing was adjourned and the committee went into executive session.)

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LEGISLATIVE HISTORY

Public Law 86-122

H. R. 6134

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INDEX AND SUMMARY OF H. R. 6134

Mar.	11,	1959	Senator Johnston (S.C.) introduced S. 1381 which was referred to Senate Committee on Post Office and Civil Service. Print of bill as introduced.
Apr.	7,	1959	Rep. Murray introduced H. R. 6134 which was referred to House Committee on Post Office and Civil Service. Print of bill as introduced.
Apr.	10,	1959	Rep. Rees (Kansas) introduced H. R. 6261 which was referred to House Committee on Post Office and Civil Service.
May	6,	1959	House subcommittee ordered H. R. 6134 reported.
May	12,	1959	House committee ordered H. R. 6134 reported without amendment.
May	26,	1959	House committee reported H. R. 6134 without amendment. House Report 386. Print of bill and report.
June	1,	1959	House passed H. R. 6134 without amendment.
June	2,	1959	H. R. 6134 was referred to Senate Committee on Post Office and Civil Service. Print of bill as referred.
June	23,	1959	Senate committee voted to report H. R. 6134.
June	29,	1959	Senate committee reported H. R. 6134 with amendments. Senate Report 436. Print of bill and report.
July	6,	1959	Senate passed H. R. 6134 as reported.
July	16,	1959	House concurred in Senate amendments with an amendment.
July	17,	1959	Senate concurred in House amendment.
July	31,	1959	Approved: Public Law 86-122.

DIGEST OF PUBLIC LAW 86-122

CHARGING OF PAY PERIOD EARNINGS. Amends Sec. 604(b) of the Federal Employees Pay Act of 1945 so as to strike out language providing that when a pay period begins in one fiscal year and ends in another, the gross amount of the earnings for the pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period. Amends Sec. 802(c) of the Classification Act of 1949 so as to provide that any Member of Congress, who has completed two or more years of service in Congress, appointed to a position subject to the Classification Act of 1949 may have his salary fixed at any step within the grade to which appointed provided it does not exceed the highest previous rate of compensation received as a Member of Congress.

IN THE SENATE OF THE UNITED STATES

MARCH 11 (legislative day, MARCH 9), 1959

Mr. JOHNSTON of South Carolina (by request) introduced the following bill;
which was read twice and referred to the Committee on Post Office and
Civil Service

A BILL

To amend the Federal Employees Pay Act of 1945, as amended,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the last sentence of subsection (b) of section 604 of the
4 Federal Employees Pay Act of 1945 (59 Stat. 303), which
5 reads "When a pay period for such officers and employees
6 begins in one fiscal year and ends in another, the gross
7 amount of the earnings for such pay period may be re-
8 garded as a charge against the appropriation or allotment
9 current at the end of such pay period.", is hereby repealed.

A BILL

To amend the Federal Employees Pay Act of 1945, as amended, and for other purposes.

By Mr. JOHNSTON of South Carolina

MARCH 11 (legislative day, MARCH 9), 1959

Read twice and referred to the Committee on Post
Office and Civil Service

86TH CONGRESS
1ST SESSION

H. R. 6134

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 1959

Mr. MURRAY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That section 604 (b) of the Federal Employees Pay Act
- 4 of 1945 (59 Stat. 303; 5 U.S.C. 944 (b)) is amended
- 5 by striking out the following sentence: "When a pay period
- 6 for such officers and employees begins in one fiscal year
- 7 and ends in another, the gross amount of the earnings for
- 8 such pay period may be regarded as a charge against the

- 1 appropriation or allotment current at the end of such pay
- 2 period.”

86TH CONGRESS
1ST SESSION

H. R. 6134

A BILL

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

By Mr. MURRAY

APRIL 7, 1959

Referred to the Committee on Post Office and Civil Service

86TH CONGRESS
1ST SESSION

H. R. 6261

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1959

Mr. REES of Kansas introduced the following bill; which was referred to the
Committee on Post Office and Civil Service

A BILL

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 604 (b) of the Federal Employees Pay Act of
4 1945 (59 Stat. 303; 5 U.S.C. 944 (b)) is amended by
5 striking out the following sentence: "When a pay period
6 for such officers and employees begins in one fiscal year
7 and ends in another, the gross amount of the earnings for
8 such pay period may be regarded as a charge against the

A BILL

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

By Mr. REES of Kansas

APRIL 10, 1959

Referred to the Committee on Post Office and Civil Service

1 appropriation or allotment current at the end of such pay
2 period.”

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of May 6, 1959
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HIGHLIGHTS: House committee reported feed grain price support bill. Senate committee ordered reported Barrett nomination. Several representatives submitted and Rep. Hechler discussed measures to provide for acceleration of reforestation programs. Reps. Fountain and Dwyer introduced and discussed bills to establish permanent Advisory Commission on Intergovernmental Relations.

HOUSE

1. FEED GRAINS. The Agriculture Committee reported with amendment H. R. 5432, to amend the Agricultural Act of 1949 so as to provide that the price support for oats, rye, barley, and grain sorghums shall be established on the basis of the feeding value of the commodity in relation to corn (H. Rept. 336). p. 6816
2. APPROPRIATIONS. The Shipley subcommittee of the Post Office and Civil Service Committee ordered reported H. R. 6134, to amend the Federal Employees Pay Act of 1945 so as to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. p. D326
3. ELECTRIFICATION. Began debate on H. R. 3460, to amend the TVA Act of 1933 so as to provide for the issuance of revenue bonds by TVA to finance additions to its power system. pp. 6761-89
4. HOUSING. Rep. Staggers urged the Rules Committee to clear H. R. 2357, the housing bill for 1959. p. 6790

5. FARM PROGRAM; PRICES. Rep. Ruess inserted the final report of the American Assembly meeting on "Wages, Prices, Profits, and Productivity," which included the following recommendation: "As one means of achieving price stability, the government should work toward a freer market in agricultural products, reflecting advances in productivity. Special measures should be provided to ameliorate economic hardships upon individuals." pp. 6792-4
6. PURCHASING. Rep. Dent urged enactment of his bill H. R. 5679, the buy American bill to require increased government purchases from U. S. manufacturers, criticized recent "purchases by REA affiliates and TVA of power producing equipment from foreign manufacturers," and inserted several items discussing the situation. pp. 6801-9
7. FLOOD CONTROL. Received from the Budget Bureau a proposed bill "to provide uniform cost-sharing standards for non-Federal entities cooperating with the Federal Government in flood control or flood prevention projects"; to Public Works Committee. p. 6816
8. PERSONNEL. The Post Office and Civil Service Committee has prepared a "committee print," "How Personnel Is Recruited for Federal Service." Copies are not available from this office or the committee, but can be purchased from the Superintendent of Documents, GPO, for 40 cents each.

SENATE

9. NOMINATIONS. The Agriculture Committee ordered reported the nomination of Frank Barrett to be General Counsel of this Department and a member of the CCC Board of Directors; and the nominations of Glen R. Harris and J. Pittman Stone to be members of the FCA Federal Farm Credit Board. p. D323
10. FATS AND OILS. The Finance Committee "approved for reporting" H. R. 147, to suspend temporarily the tax on the processing of palm oil, palm-kernel oil, and fatty acids, salts, and combinations, or mixtures thereof. p. D323

ITEMS IN APPENDIX

11. ELECTRIFICATION. Rep. Evins inserted two statements contending that H. R. 3460, the TVA self-financing bill, contains "safeguards against loss of congressional control over TVA." pp. A3763-4
Extension of remarks of Rep. Evins and insertion of several statements supporting the TVA self-financing bill. pp. A3769-71
Rep. Santangelo inserted a speech by chairman Vogel, TVA, stating that a "vigorous competition" between private and public power "can be healthy for America." pp. A3790-3
12. FARM PROGRAM. Extension of remarks of Rep. Broomfield stating that "consumers, taxpayers, our President, and Secretary of Agriculture and our farmers" are opposed to price supports, that Congressmen should "catch up to the will of the people," and that his bill to give food to Alaskan homesteaders will help solve the surplus problem. p. A3772
13. FUTURE FARMERS. Rep. Everett inserted a speech by the Vice President of Future Farmers of America setting forth the goals of leadership, cooperation, and citizenship in the FFA. pp. A3777-8
14. FOREIGN AID. Rep. Wolf inserted an article stating that America sends too much military aid and not enough economic aid to certain countries. pp. A3781-2

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of May 12, 1959
86th-1st, No. 75

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HIGHLIGHTS: House passed measure deferring until June 1 proclamation of marketing quotas and acreage allotments for wheat. House appointed conferees on second supplemental appropriation bill. Both Houses received from President reorganization plan to transfer forest land exchange and sale authorities from Interior to USDA. House committee ordered reported bill to provide Friday off for holidays on Saturday. Sen. Cotton introduced and discussed bill to coordinate administration of Federal personnel loyalty and security programs.

SENATE

- 1. RECLAMATION.** Passed with amendments S. 44, to authorize Interior to construct the San Luis unit of the Central Valley reclamation project, Calif. pp. 7160-75
Agreed to an amendment by Sen. Douglas to limit to 160 acres the amount of land for which water from the project may be furnished to each land owner. pp. 7160-70
Rejected, 24 to 57, a motion by Sen. Williams, Del., to recommit the bill to the Interior and Insular Affairs Committee. pp. 7170-4
Sen. Williams, Del., contended that the project would increase the production of surplus commodities, particularly cotton, stating that he had been informed by this Department that the amendment by Sen. Russell to prohibit the production of basic commodities on land in the project "would apply to less than one-fourth of the acreage devoted to any of the basic crops." He stated that "the Department of Agriculture did not endorse this bill." Sen. Dirksen

replied that "This subject is under the jurisdiction of the Department of the Interior. I do not know that it is the function of the committee to ask the Secretary of Agriculture or the Department of Agriculture whether this kind of measure should be approved." pp. 7170-2

2. WATER RESOURCES. The Vice President appointed Sens. Martin, McGee, Moss, and Scott as additional members of the Select Senate Committee on National Water Resources. p. 7151
3. FARM PRICES. Sen. Javits inserted an Onondaga County, N. Y., Dairy Farmers of America resolution favoring legislation "to encourage an upward trend in farm prices." p. 7143
4. FORESTRY. Sen. Humphrey inserted an Itasca County, Minn., Board of Commissioners resolution urging Congress "to give favorable consideration to the program for national forests as outlined by the Secretary of Agriculture and take the appropriate action to implement the program." p. 7142
5. EMPLOYMENT. Sen. Bush inserted a statement by Secretary of Labor Mitchell, "Mitchell Predicts Era of Prosperity," expressing pleasure over the increase in employment and stating that "We must have adequate area assistance legislation." pp. 7152-3
Sens. Dirksen and Clark expressed satisfaction over the improvement in the employment situation. pp. 7154, 7176
6. CIVIL DEFENSE. Sen. Young, O., charged that "civil defense as it has been handled in the Nation and as it is presently being handled under the guise of Office of Civil Defense Mobilization is a wasteful, unnecessary, and enormously expensive bureaucracy." p. 7153

HOUSE

7. FORESTRY. Both Houses received from the President Reorganization Plan No. 1 of 1959, which transfers from Interior to Forest Service functions related to exchange of national forest land or timber for other lands in national forests, the sale of tracts of national forest land found necessary for the processing of timber from the Tongass National Forest, the sale of small tracts of acquired national forest land found chiefly valuable for agriculture, and the disposal of common varieties of sand, gravel, stone, pumice and other materials from lands reserved from the public domain under FS jurisdiction. To Government Operations Committee. (H. Doc. 140)
8. WHEAT. Passed without amendment S. J. Res. 94, requiring the Secretary to postpone until June 1 (instead of May 15) the proclamation of marketing quotas and the national acreage allotment for wheat for 1960. This measure will now be sent to the President. p. 7180
9. APPROPRIATIONS. House conferees were appointed on H. R. 5916, the second supplemental appropriations bill. Senate conferees have been appointed. p. 7180
10. PERSONNEL; ACCOUNTING. The Post Office and Civil Service Committee ordered reported two bills: (1) H. R. 5752, to provide for absence from duty by civilian officers and employees of the Government on Fri. when a holiday falls on Sat.; with an amendment to make the bill effective July 1, 1959, and (2) H. R. 6134, without amendment, to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. p. D345

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of May 26, 1959
86th-1st, No. 85

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HIGHLIGHTS: Senate subcommittee voted to report USDA appropriation bill. Senate committee reported bill to provide for centennial celebration of establishment of USDA and land-grant colleges. House Rules Committee cleared bill to extend Reorganization Act. House debated State-Justice appropriation bill. Senate debated D. C. appropriation bill. Sen. Bridges and others submitted and Sen. Bridges discussed measure to require submission of a balanced budget.

HOUSE

1. REORGANIZATION. The Rules Committee reported a resolution for consideration of H. R. 5140, to extend the time to June 1, 1961, during which reorganization plans transmitted by the President to Congress under the Reorganization Act of 1949 may take effect, pp. 8218, 8259
2. STATE-JUSTICE APPROPRIATION BILL FOR 1960. Concluded debate on this bill, H. R. 7343 (pp. 8219-26). The vote on passage of the bill was postponed until today, May 27 (p. 8226).
3. CONTRACTS. Began and concluded debate on H. R. 7086, to extend the Renegotiation Act of 1951 for 4 years, until June 30, 1963 (pp. 8227-48). Pending at

the conclusion of debate was a motion by Rep. Simpson, Pa., to recommit the bill to the Ways and Means Committee with instruction to report the bill back with an amendment providing for a 2-year extension of the Act. Further consideration of the bill was postponed until today, May 27 (p. 8248).

4. ACCOUNTING; PERSONNEL. The Post Office and Civil Service Committee reported without amendment H. R. 6134, to amend the Federal Employees Pay Act of 1945 so as to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years (H. Rept. 386). p. 8259
5. WATERSHEDS. Received from the Budget Bureau plans for works of improvement for the following watersheds:
French Creek, Wash., and Marshland, Wash.; to Agriculture Committee. p. 8259
Tobesofkee Creek, Ga., Big Blue, Ill., and Shoal Creek, Ill.; to Public Works Committee. p. 8259
6. ATOMIC ENERGY. Both Houses received from the President a copy of an agreement between the U. S. and Canada for cooperation on the uses of atomic energy for mutual defense purposes. pp. 8141, 8219
7. LEGISLATIVE PROGRAM. Rep. McCormack announced that, in addition to votes on passage of the general government matters and State-Justice appropriation bills and on extension of the Renegotiation Act, the bill to extend the Reorganization Act will be considered today, May 27; that the Commerce appropriation will be considered on Thurs., and there will be no rollcall votes on Thurs. or Mon. p. 8248

SENATE

8. FARM PROGRAM. Sen. Keating urged a "return to private initiative and free enterprise competition" for farmers and inserted an article, "Piling Surplus on Surplus," critical of the present farm program and asking elimination of parts of the price support program. pp. 8176-7
9. FOOD COSTS. Sen. Proxmire commended the farmers in "improving his efficiency and in cutting farm costs and food prices in the process and inserted an article, "Living Costs Equal High, But Food Prices Decline." p. 8179
10. CENTENNIAL CELEBRATION. The Judiciary Committee reported without amendment H. R. 4012, to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the USDA (S. Rept. 326). p. 8151
11. POSTAGE RATES. The Post Office and Civil Service Committee reported ^{without amendment} H. R. 5212, to revise the minimum charge on pieces of mail of odd sizes and shapes (S. Rept. 328). pp. D397, 8151
12. APPROPRIATIONS. Debated H. R. 5676, the D. C. appropriation bill, and agreed to the committee amendments en bloc. Debated Sen. Morse's amendment to increase the appropriation by \$700,000 over the committee figure of \$133,000 for school lunches for D. C. children. The committee figure, Morse stated, would feed "about 1,000 of the neediest youngsters," while his amendment would provide "free lunches to the neediest 7,000 elementary pupils." pp. 8182-9, 8192-8216

ALLOCATING PORTIONS OF FISCAL YEAREND PAYROLL PERIODS TO PROPER FISCAL YEAR ACCOUNTS

MAY 26, 1959.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. SHIPLEY, from the Committee on Post Office and Civil Service,
submitted the following

R E P O R T

[To accompany H.R. 6134]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 6134) to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF H.R. 6134

The purpose of this legislation is to eliminate a provision of the Federal Employees Pay Act of 1945 (59 Stat. 303; 5 U.S.C. 944(b)) which is inconsistent with present budget and appropriation procedures but which remains on the statute books although no longer effective. The proposed change will conform existing law, regarding the apportionment of funds for a pay period falling in 2 fiscal years, to current practice under the accrual basis of accounting and the cost basis of budgeting endorsed by the Congress in Public Law 863, 84th Congress, and Public Law 85-759. The effect would be to facilitate more accurate and meaningful fiscal year budgets and reports on expenditures by assuring that the exact pay for workdays in each fiscal year will be charged to that year's accounts.

STATEMENT

This legislation carries out an official recommendation of the Executive Office of the President, submitted by the Director of the Bureau of the Budget. The effect of the legislation is to remove from

the statutes a now unused and inappropriate authority which may become a source of confusion in Federal budgeting and reporting procedures.

The authority in question is contained in section 604(b) of the Federal Employees Pay Act of 1945 which provides in part as follows:

* * * When a pay period for such officers and employees begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period.

¶ This provision was included as a matter of convenience at the time to facilitate payroll operations under the biweekly pay system prescribed by the 1945 act. Prior to that act, Federal employees receiving annual rates of compensation generally were paid on a semi-monthly basis so that the end of each fiscal year coincided with the close of an actual pay period.

¶ Under the biweekly pay system the close of the fiscal year seldom coincides with the close of a pay period, since the beginning and end of each pay period is based on the week rather than the month.

The result was, in instances of pay periods extending from one fiscal year to the next, that the payroll costs for services rendered in the earlier fiscal years could be, and often were, charged to and paid from appropriations for personal services for the succeeding fiscal years.

This result is contrary to the principles of accrual accounting and to the policies of the Appropriations Committees. The House Appropriations Committee, in House Report No. 990, 80th Congress, accompanying the bill which became the Supplemental Appropriation Act of 1948, placed all departments and agencies on notice "that the appropriations for the fiscal year 1948—as for any other year—are intended to cover earnings for all workdays occurring in that year." The committee further stated that no deficiency estimates would be considered in future years to cover earnings for workdays carried over from prior years.

Since that time, budgetary and apportionment instructions of the Bureau of the Budget have required preparation of budgets and apportionment of funds on the basis directed by the Appropriations Committee, whereby the pay costs of all days in any fiscal year are charged to the appropriation for that fiscal year only.

Since the provision of the 1945 Pay Act in question is inoperative but still remains on the statute books, it is desirable that it be removed to conform substantive law to existing appropriation and budget procedures and recent statutes approving the accrual system of accounting in the Federal Government.

A hearing on this legislation was held May 6, 1959, by a special subcommittee appointed to study H.R. 6134. Representatives of the Bureau of the Budget testified in support of this legislation and urged its early enactment. No testimony was presented in opposition to the legislation.

COST

This legislation will result in no additional cost to the Government.

REPORT OF THE EXECUTIVE OFFICE OF THE PRESIDENT

The official request of the Director of the Bureau of the Budget for this legislation follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 4, 1959.

HON. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: We respectfully submit for consideration by the Congress proposed legislation, drafted by the Bureau of the Budget, to amend section 604(b) of the Federal Employees Pay Act of 1945, as amended, by repealing the last sentence of that section. The sentence which would be repealed provides that when a pay period begins in 1 fiscal year and ends in another an agency may charge the total cost for a pay period to the appropriation current at the end of the period.

Although section 604(b) of the pay act would permit the charging of total payrolls for such pay periods to the appropriation for the new year, the House Committee on Appropriations in its report on the Supplemental Appropriation Act, 1948 (H. Rept. 990, 1st sess., 80th Cong.), stated:

"The Federal Employees Pay Act of 1946 permits charging the earnings for a pay period falling in 2 fiscal years to the appropriation current at the end of the pay period although there is no bar in the act to following the normal procedure of splitting the charge between the 2 fiscal years involved in which event the exact pay for the days in each fiscal year would be charged to that year's accounts. The committee wishes to put all agencies on notice that the appropriations for the fiscal year 1948—as for any other year—are intended to cover earnings for all the workdays occurring in that year. No deficiency estimates will be considered in future years to cover earnings for workdays carried over from prior years."

Since that time budgetary and apportionment instructions (Bureau of the Budget Circulars A-11 and A-34) have required that budgets be prepared and funds be apportioned on a basis whereby the pay costs of all the days in any fiscal year are charged to the appropriation for that fiscal year only. These instructions are consistent not only with the views expressed in the above-quoted report, but also with the accrual basis of accounting and the cost basis of budgeting endorsed by the Congress in Public Law 863, 84th Congress, and Public Law 85-759.

So that fiscal year budgets and reports on expenditures may be accurate and meaningful, it is desirable that those portions of each such yearend payroll period chargeable to the respective fiscal years be properly allocated to each. This practice has been followed since 1947.

The proposed amendment of section 604(b) of the Federal Employees Pay Act would repeal this now unused and inappropriate authority. Accordingly, early and favorable consideration of this draft bill is recommended.

Sincerely yours,

MAURICE H. STANS, *Director.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, existing law in which no change is proposed is shown in roman):

SECTION 604(b) OF THE FEDERAL EMPLOYEES PAY ACT
OF 1945

(59 Stat. 303; 5 U.S.C. 944(b))

ESTABLISHMENT OF BASIC WORKWEEK; WORK SCHEDULES; PAY COMPUTATION METHODS

Sec. 604. (a) * * *

(b) Beginning not later than October 1, 1945, each pay period for all officers and employees of the organizations referred to in subsection (a), except officers and employees of the Isthmus of Panama in the service of The Panama Canal or the Panama Railroad Company, shall cover two administrative workweeks. [When a pay period for such officers and employees begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period.]



Union Calendar No. 154

86TH CONGRESS
1ST SESSION

H. R. 6134

[Report No. 386]

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 1959

Mr. MURRAY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

MAY 26, 1959

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 604 (b) of the Federal Employees Pay Act
4 of 1945 (59 Stat. 303; 5 U.S.C. 944 (b)) is amended
5 by striking out the following sentence: "When a pay period
6 for such officers and employees begins in one fiscal year
7 and ends in another, the gross amount of the earnings for
8 such pay period may be regarded as a charge against the

1 appropriation or allotment current at the end of such pay
2 period.”

Union Calendar No. 154

86TH CONGRESS
1ST SESSION

H. R. 6134

[Report No. 386]

A BILL

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

By Mr. MURRAY

APRIL 7, 1959

Referred to the Committee on Post Office and Civil Service

MAY 26, 1959

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

June 1, 1959

11. WATER RIGHTS. Received a Nev. Legislature resolution urging the enactment of legislation to provide that the States have primary responsibility for water resources within their boundaries. pp. 8449-50
12. RECLAMATION. A subcommittee of the Interior and Insular Affairs Committee ordered reported with amendments, on May 29, S. 281, to authorize Interior to construct a reregulating reservoir and other works at the Burns Creek Site in the upper Snake River Valley, Idaho. p. D414
Received from Interior a project proposal in the Jackson Valley Irrigation District, at Ione, Calif., under the Small Reclamation Projects Act of 1956; to Interior and Insular Affairs Committee. p. 8449
13. ADMINISTRATIVE ORDERS. Received from the Administrative Office of the U. S. Courts, D. C., a proposed bill "to provide for reasonable notice of applications to the U. S. courts of appeals for interlocutory relief against the orders of certain administrative agencies"; to Judiciary Committee. p. 8449
14. FOREIGN AID. Sen. Mansfield inserted and discussed amendments he intends to propose to S. 1451, the mutual security extension bill, to curtail certain grants under the program. pp. 8475-8
Sens. Young, Ohio, and Gruening urged greater economy in the foreign aid program. pp. 8478-80

HOUSE

15. ALASKA. Passed with amendments H. R. 7120, to amend certain laws of the U. S. in the light of admission of Alaska into the Union. pp. 8529-43
Agreed to an amendment by Rep. O'Brien which would limit the President's authority to transfer certain property to Alaska for airports, mental health, and highway construction and maintenance. pp. 8542-3
As passed, the bill includes sections defining Alaska's status under the following acts and subjects: Sugar Act, Soil Bank Act, Soil Conservation and Domestic Allotment Act, wildlife and fish restoration, importation of milk and cream, Water Pollution Control Act, Federal Property and Administrative Services Act, and timber removal.
16. FORESTRY. The Public Lands Subcommittee of the Interior and Insular Affairs Committee voted to report (but did not actually report) to the full committee H. R. 3682, to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958. p. D416
17. REORGANIZATION. Rep. McCormack asked and received consent that H. R. 5140, to extend for 2 years the Reorganization Act of 1949, be passed over without prejudice since it is scheduled for consideration tomorrow, June 2. p. 8520
18. LEGISLATIVE BRANCH APPROPRIATION BILL. Passed without amendment this bill, H. R. 7453. pp. 8525-9
19. PROPERTY. Passed as reported S. 900, to extend the authority of GSA to pay direct expenses in connection with the utilization of excess real property. p. 8520
20. ACCOUNTING; PERSONNEL. Passed without amendment H. R. 6134, to amend the Federal Employees Pay Act of 1945 so as to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. pp. 8521-2

21. WATER. Received from the Oregon state legislature two memorials urging Congress to respect state and individual water rights. pp. 8543-4
Received from the Nevada Legislature a memorial urging legislation to define the waters originating on federally owned or controlled lands which contribute to flowing or moving surface or ground waters. p. 8553
22. INTEREST RATES. Rep. Patman criticized the Federal Reserve's Open Market Committee activities as "acting for and on behalf of Congress, not only when it determines interest rates but when it determines how much money and credit shall be available to business, farmers, and consumers ...," and attacked the "trickle down theory" which he associated with the Eisenhower Administration. pp. 8546-8
23. HOUSING. Received from the Comptroller General a report on the audit of the Federal Housing Administration, Housing and Home Finance Agency for fiscal year 1958 (H. Doc. 162). p. 8552
24. FARM PROGRAM. Received from the Texas Legislature a memorial relative to the role of the small farmer and small communities in preserving our way of life. p. 8553
25. SMALL BUSINESS LOANS TO FARMERS. Received from the Texas Legislature a memorial urging Congress and the President to request the executive and legislative departments to issue the necessary administrative ruling or to pass the necessary legislation making poultry, egg, hog, and milk producers eligible for loans from the Small Business Administration. p. 8553
26. FOOD COSTS. This office has received copies of a House Agriculture Committee print, "Food Cost Trends: A Compilation of Data Relating Consumer and Farm Prices of Food." In a foreword to the bulletin, Rep. Cooley stated that the study "shows the widening spread between the price the farmer receives and what the consumer pays, for food."

ITEMS IN APPENDIX

27. LIBRARY SERVICES. Extension of remarks of Sen. Hill expressing his "deep personal interest in improving and expanding library facilities ...," and stating that he is proud to have been the author in the Senate of the Library Services Act, and inserting an article on this subject. pp. A4581-3
28. FARM PROGRAM. Sen. Ervin inserted recent addresses by Sen. Symington and Sen. Hartke criticizing various programs of the administration, including the farm program. pp. A4583-4, A4587-8
Rep. Coad inserted Duane Orton's statement before the House Agriculture Subcommittee on Livestock and Feed Grains outlining his plan for the solution of the farm problem. pp. A4631-2
Rep. Green inserted a speech by Al Whitehouse, AFL-CIO, critical of labor standards, the administration of the surplus disposal program by this Department, and the increased expenditures for price support programs. pp. A4638-41
29. ELECTRIFICATION. Sen. Neuberger inserted an editorial, "Bonneville Corporation Fair To All." p. A4590
Extension of remarks of Sen. Kuchel opposing a proposal to have private development of the power facilities of the Central Valley project. pp. A4602-3

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby eliminated from the Cheyenne and Arapaho subagency reservation at Concho, Oklahoma, approximately four thousand nine hundred acres of land considered excess to the present school and agency reserve needs. The Secretary of the Interior is authorized to set aside in trust for the use and benefit of the Cheyenne and Arapaho Tribes of Oklahoma such land located in township 13 north, range 7 west and range 8 west, Indian meridian, Canadian County, Oklahoma, together with improvements thereon.

With the following committee amendment:

Page 1, line 12, strike out the period and add the following language: "upon agreement of the Cheyenne and Arapaho Tribes to eliminate from their suit now pending before the Indian Claims Commission under the Act of August 13, 1946 (60 Stat. 1049) any claim based on alleged inadequate compensation for said land and to renounce any other claim they may have with respect thereto. Nothing contained in this Act shall be construed as an admission of liability on the part of the United States with respect to these or any other lands."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

USE OF LOAN FUND TO ASSIST KLAMATH INDIANS

The Clerk called the bill (H.R. 5519) to authorize the use of the revolving loan fund for Indians to assist Klamath Indians during the period for terminating Federal supervision.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that an identical Senate bill (S. 1242) be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the Senate bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to make loans, without interest, from the revolving fund authorized by the Acts of June 18, 1934 (48 Stat. 986; 25 U.S.C. 470), and June 26, 1936 (49 Stat. 1968; 25 U.S.C. 506), as amended and supplemented, to members of the Klamath Tribe of Indians who elected to withdraw from the tribe pursuant to the Act of August 13, 1954 (68 Stat. 718; 25 U.S.C. 564), as amended, regardless of the degree of Indian blood of the borrower, and to collect such loans by setoff against funds payable to the borrower pursuant to said Act of August 13, 1954, as amended. The Secretary is also authorized to refinance from such revolving fund any loan made by a lending agency to a withdrawing Klamath Indian that is secured by encumbrance of his beneficial interest in tribal property with the approval of the Secretary as required by section 4 of said 1954 Act, and to include

therein a nonreimbursable grant equal to the interest charges incurred by the borrower prior to such refinancing. In the event adequate funds are not available from the revolving fund to refinance a loan by such lending agency, the Secretary is authorized to pay from the revolving fund, without reimbursement, the interest charged on such loan.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H.R. 5519) were laid on the table.

ADDING CERTAIN PUBLIC DOMAIN LANDS IN NEVADA TO THE SUMMIT LAKE INDIAN RESERVATION

The Clerk called the bill (H.R. 6234) to add certain public domain lands in Nevada to the Summit Lake Indian Reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the bill S. 1217, an identical bill to the House bill, be considered in lieu of H.R. 6234.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the southeast quarter northeast quarter, northeast quarter southeast quarter section 20, township 42 north, range 26 east, Mount Diablo meridian, Nevada, situated within the exterior boundaries of the Summit Lake Indian Reservation, Humboldt County, Nevada, containing 80 acres, are hereby withdrawn from the public domain, subject to any valid existing rights heretofore initiated under the public land laws, and added to and made a part of the Summit Lake Indian Reservation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION (OREGON)

The Clerk called the bill (H.R. 6914) to donate to the Confederated Tribes of the Warm Springs Reservation, Oregon, approximately 48.89 acres of Federal land.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the land described below are hereby declared to be held in trust for the Confederated Tribes of the Warm Springs Reservation, Oregon: Commencing at a point 5.38 chains west of center of section 25, township 9 south, range 12 east, north 30 chains, west 17.08 chains, south 20 chains, east 2.50 chains, south 10 chains, east 14.63 chains to point of beginning, containing 48.89 acres more or less, being parts of lots 5, 6, 11, 12, and 14 of section 25, township 9 south, range

12 east, Willamette meridian, Jefferson County, Oregon.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO ACQUIRE LANDS OR INTEREST IN LANDS FOR THE GEOLOGICAL SURVEY

The Clerk called the bill (H.R. 4483) to amend the act of December 24, 1942 (56 Stat. 1086, 43 U.S.C., 36b), entitled "An act to authorize the Secretary of the Interior to acquire lands or interest in lands for the Geological Survey."

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 24, 1942 (ch. 822, 56 Stat. 1086), is hereby amended to read as follows: "That the Secretary of the Interior may, on behalf of the United States and for use by the Geological Survey in gaging streams and underground water resources, acquire lands by donation or when funds have been appropriated by Congress by purchase or condemnation, but not in excess of ten acres for any one stream gaging station or observation well site. For the same purpose the Secretary of the Interior may obtain easements, licenses, rights-of-way, and leases limited to run for such a period of time or term of years as may be required for the effective performance of the function of gaging streams and underground water resources: *Provided,* That nothing in this Act shall be construed as affecting or intended to affect or in any way to interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this Act, shall proceed in conformity with such laws, and nothing in this Act shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water, in, to, or from any interstate stream or the waters thereof."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING FEDERAL EMPLOYEES PAY ACT OF 1945

The Clerk called the bill (H.R. 6134) to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 604(b) of the Federal Employees Pay Act of 1945 (59 Stat. 303; U.S.C. 944(b)) is amended by striking out the following sentence: "When a pay period for such officers and employees begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CUSTIS-LEE MANSION IN ARLINGTON NATIONAL CEMETERY

The Clerk called the bill (H.R. 5138) to extend the grounds of the Custis-Lee Mansion in Arlington National Cemetery.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to make possible the restoration and preservation of a portion of the historic grounds associated with the Custis-Lee Mansion which, pursuant to the Act of June 29, 1955 (69 Stat. 190), has been dedicated as a permanent memorial to Robert E. Lee, the Secretary of the Army is authorized and directed to transfer to the jurisdiction of the Secretary of the Interior, without remuneration, for addition to the Custis-Lee Mansion, approximately 0.76 acre of land within the Arlington National Cemetery lying immediately south of the Custis-Lee Mansion, more particularly described as follows:

Beginning at a bronze disc in the east curb of Sherman Avenue at the southwest corner of the present Custis-Lee Mansion grounds marked C L 3, thence with the east curb of Sherman Avenue in a southwesterly direction 117.03 feet along the arc of a curve whose radius is 175.96 feet and whose long chord bears south 36 degrees 49 minutes 12 seconds west for 114.89 feet to a bronze disc in the curb marked C L 4, thence leaving Sherman Avenue, east 121.33 feet to a bronze disc set in concrete and marked C L 5, thence south 00 degrees 59 minutes 04 seconds east 135.03 feet to a bronze disc set in concrete and marked C L 6, thence north 88 degrees 33 minutes 40 seconds east 103.75 feet to a bronze disc set in concrete and marked C L 7, thence north 47 degrees 10 minutes 49 seconds east 10.03 feet to a bronze disc set in concrete and marked C L 8, thence north 1 degree 12 minutes 50 seconds east 217.61 feet to a bronze disc set in concrete and marked C L 9 in the south line of the present Custis-Lee Mansion grounds (the last three courses being 4 feet north, northwest, and west, respectively, from rows of existing headstones), thence with the south line of the present Custis-Lee Mansion grounds and along the south side of an existing brick wall, west 170.46 feet to the place of beginning, containing 33,151 square feet or 0.76106 acre of land more or less, in accordance with a plat of survey made by National Park Service, National Capital Parks dated September 20, 1955, and bearing file number NCP 2.3-94.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF WARNER ROBINS, GA.

The Clerk called the bill (H.R. 5927) to authorize the conveyance to the city of Warner Robins, Ga., of about 29 acres of land comprising a part of Robins Air Force Base.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Air Force is authorized and directed to convey to the city of Warner Robins, Georgia, at the fair market value

as determined by the Secretary of the Air Force, all the right, title, and interest of the United States in and to approximately 29 acres of land comprising a part of the Robins Air Force Base, including improvements which may be located thereon at the time of the conveyance as outlined in red on Robins Air Force Base map, sheet 1 of drawing numbered 8-58-105 dated October 16, 1958, on file at Robins Air Force Base, Georgia.

SEC. 2. The conveyance authorized by this Act shall be subject to the retention by the United States of a right-of-way for utility lines and over the land herein authorized to be conveyed.

SEC. 3. The Secretary of the Air Force may include in the deed of conveyance authorized under this Act such terms and conditions as he considers to be in the public interest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE NAVY TO ACQUIRE CERTAIN REAL PROPERTY IN THE COUNTY OF SOLANO, CALIF.

The Clerk called the bill (H.R. 697) to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property to the county of Solano, Calif., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Navy is authorized to acquire on behalf of the United States, by gift, purchase, condemnation, or otherwise, the real property described in section 3 of this Act, for the purpose of relocating thereon certain railroad tracks located on the date of enactment of this Act on the real property described in section 4 of this Act.

SEC. 2. Upon acquisition of the real property described in section 3 of this Act, the Secretary shall convey to the county of Solano, California, all right, title, and interest of the United States in and to the real property described in section 4 of this Act, upon payment to the United States by such county of all expenses incurred by the United States under the first section of this Act, including expenses incurred by the United States in relocating the railroad tracks referred to in such first section.

SEC. 3. The real property to be acquired by the Secretary under the first section of this Act is situated in the county of Solano, California, and is more particularly described as follows:

A PORTION OF PARCEL NUMBERED 1

Beginning at a point 15.00 feet easterly and at right angles to engineers station 130+78.26, said engineers station being in the center of the existing United States Navy railroad tracks; thence along a curve to the right of radius 286.56 feet, central angle 17 degrees 03 minutes 20 seconds, and length 87.18 feet, to the true point of beginning, said point being north 0 degrees 06 minutes 33 seconds west, 152.70 feet distant from the northwest corner of parcel numbered 2 described in book 385 at page 190 of official records of Solano County; thence north 0 degrees 06 minutes 33 seconds west, 76.10 feet; thence along a curve to the right of radius 316.56 feet, central angle 15 degrees 46 minutes 42 seconds, and length 87.17 feet to a point, said point being south 11 degrees 45 minutes 08 seconds east, 20.30 feet distant from the southeast corner of parcel num-

bered 2 described in book 385 at page 190 of the official records of Solano County; thence south 11 degrees 45 minutes 08 seconds east, 36.28 feet; thence along a curve to the left of radius 286.56 feet, central angle 24 degrees 57 minutes 46 seconds, and length 124.85 feet to the true point of beginning.

A PORTION OF PARCEL NUMBERED 2

Beginning at a point 15.00 feet easterly and at right angles to engineers station 130+78.26, said engineers station being in the center of existing United States Navy railroad tracks; thence along a curve to the right of radius 286.56 feet, central angle 61 degrees 54 minutes 05 seconds and length 309.59 feet to the true point of beginning; thence north 11 degrees 45 minutes 08 seconds west, 31.14 feet to a point; said point being south 11 degrees 45 minutes 08 seconds east, 8.86 feet distant from the Hans Adler property as said property is described in book 109 at page 374 of official records of Solano County; thence along curve to the right of radius 316.56 feet, central angle 13 degrees 35 minutes 13 seconds, and length 75.07 feet; thence along a line tangent to the curve north 77 degrees 02 minutes 44 seconds east, 198.27 feet, said line being a portion of the south line of the Hans Adler property described in book 109 in page 374 of official records of Solano County, thence along a curve to the left of radius 286.56 feet, central angle 42 degrees 24 minutes 55 seconds, and length 212.14 feet to the south line of lot numbered 4 of El Campo Gardens subdivision recorded in book 14 at page 15 of official records of Solano County, thence along the south line of lot numbered 4 north 77 degrees 02 minutes 44 seconds east, 36.14 feet to the west line of the Southern Pacific Railroad Company right-of-way; thence along said right-of-way line south 5 degrees 16 minutes 03 seconds west, 6.06 feet; thence along a curve to the right of radius 316.56 feet central angle 46 degrees 35 minutes 01 seconds and length 257.39 feet; thence south 77 degrees 02 minutes 44 seconds west, 198.27 feet to a curve to the left, along said curve of radius 286.56 feet, central angle 15 degrees 10 minutes 36 seconds a distance of 75.91 feet to the true point of beginning.

A PORTION OF PARCEL NUMBERED 3

Beginning at a point 15.00 feet easterly and at right angles to engineers station 130+78.26, said engineers station being in the center of the existing United States Navy railroad tracks; thence along a curve to the right of radius 286.56 feet, central angle 77 degrees 04 minutes 41 seconds, and length 385.50 feet; thence north 77 degrees 02 minutes 44 seconds east, 198.27 feet; thence along a curve to the left of radius 316.56 feet, central angle 46 degrees 35 minutes 01 seconds, and length 257.39 feet; thence along the Southern Pacific Railroad Company right of way north 5 degrees 16 minutes 03 seconds west, 6.06 feet, to the true point of beginning; thence south 77 degrees 02 minutes 44 seconds west, 36.14 feet along the south line of lot numbered 4, El Campo Garden Subdivision, said subdivision is recorded in book 14 at page 15 of official records of Solano County; thence northeasterly along a curve to the left of radius 286.56 feet, central angle 13 degrees 45 minutes 44 seconds, and length 68.83 feet; thence along the east line of lot numbered 4 south 5 degrees 16 minutes 03 seconds east, 52.20 feet to the true point of beginning.

SEC. 4. The real property of the United States to be conveyed by the Secretary under section 2 of this Act is situated in the county of Solano, California, and is more particularly described as follows:

PARCEL NUMBERED 23

In the county of Solano, State of California, that portion of County Road Numbered 85 occupied in the year 1955 by the roadbed of the San Francisco and Napa Valley Railroad extending approximately

H. R. 6134

IN THE SENATE OF THE UNITED STATES

JUNE 2, 1959

Read twice and referred to the Committee on Post Office and Civil Service

AN ACT

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 604 (b) of the Federal Employees Pay Act
4 of 1945 (59 Stat. 303; 5 U.S.C. 944 (b)) is amended
5 by striking out the following sentence: "When a pay period
6 for such officers and employees begins in one fiscal year
7 and ends in another, the gross amount of the earnings for
8 such pay period may be regarded as a charge against the
9 appropriation or allotment current at the end of such pay
10 period."

Passed the House of Representatives June 1, 1959.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

JUNE 2, 1959

Read twice and referred to the Committee on Post
Office and Civil Service

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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HIGHLIGHTS: Senate passed: State-Justice appropriation bill. Independent offices appropriation bill. Senate committee reported Labor-HEW appropriation bill. House agreed to conference report on housing bill. Sen. Murray and other Senators and Rep. Metcalf introduced and Sen. Murray discussed bill to authorize additional appropriations for forest access roads development.

SENATE

1. STATE-JUSTICE APPROPRIATION BILL, 1960. Passed, 90 to 0, with amendments this bill, H. R. 7343 (pp. 10491-502, 10506-11). Conferees were appointed (p. 10511). House conferees have not yet been appointed.
2. INDEPENDENT OFFICES APPROPRIATION BILL, 1960. Passed, 89 to 1, as reported this bill, H. R. 7040 (pp. 10525-30). Conferees were appointed (p. 10530). House conferees have not yet been appointed.
3. LABOR-HEW APPROPRIATION BILL, 1960. The Appropriations Committee reported with amendments this bill, H. R. 6769 (S. Rept. 425). p. 10480
4. ELECTRIFICATION. The Public Works Committee reported with amendments H. R. 3460, to amend the TVA Act of 1933 so as to provide for the issuance of revenue bonds by TVA to finance additions to its power system (S.Rept. 426). p. 10480

5. GENERAL GOVERNMENT MATTERS APPROPRIATION BILL, 1960. This bill, H. R. 7176, was made the unfinished business for consideration today, June 24. p. 10530
6. PERSONNEL; ACCOUNTING. The Post Office and Civil Service Committee voted to report without amendment (but did not actually report) H. R. 6134, to amend the Federal Employees Pay Act of 1945 so as to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. p. D517
The "Daily Digest" states that the Post Office and Civil Service Committee "postponed action for 1 week on S. 2162, Federal Employees' Health Benefits Act of 1959." p. D517
7. MEAT INSPECTION. Both Houses received from GAO a report on the review of activities of the Meat Inspection Division of this Department. pp. 10479, 10618
8. FATS AND OILS. Received from GSA a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 265 million pounds of coconut oil from the national stockpile. p. 10478
9. NOMINATION. Confirmed the nomination of Brooks Hays to be a member of the Board of Directors of TVA. pp. 10514, 10540
10. FARM INCOME. Sen. Langer inserted a GTA Daily Radio Roundup discussing farm income, and stating that "farming continues to be a sort of island of recession in a sea of prosperity." p. 10504
11. TRANSPORTATION. Sen. Schoepel inserted a statement by Ernest J. Williams before the Transportation Council discussing the comprehensive study being made of transportation policy at the request of the President, including activities on which reports are expected to be made from the study. pp. 10504-6
12. CONTRACTS. Passed, with amendments, H. R. 7086, to extend the Renegotiation Act of 1951 until December 31, 1961 (pp. 10511-2, 10514-6). Agreed to an amendment by Sen. Butler to prohibit Government agencies from inserting provisions in certain contracts which would limit profits under the contract (p. 10515).
13. SURPLUS FOODS. Sen. Humphrey inserted two articles, "Our Wheat Surplus: 100 Billion Loaves," and "Farm Surplus Bill Extension Vital," discussing the surplus food situation and activities under Public Law 480 for distributing such food abroad. pp. 10512-3
14. FORESTRY. Sen. Morse inserted a report prepared for him by the Small Business Administration listing timber sales by the Forest Service from tracts which had been set aside for competitive bidding by small business. p. 10534
15. FOREIGN AFFAIRS. Sen. Mansfield inserted a list of bills on which hearings will be held by the Foreign Relations Subcommittee on State Department Organization and Public Affairs beginning July 6. p. 10489
16. LEGISLATIVE PROGRAM. Sen. Johnson announced that S. 1451, the mutual security authorization bill, and H. R. 3460, the TVA self-financing bill, will be considered in the next few days. pp. 10478, 10511

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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HIGHLIGHTS: House received conference report on agricultural appropriation bill. House passed supplemental appropriation bill. Both Houses cleared general governments matters appropriation bill. Sen. Mansfield criticized surplus food distribution policy.

HOUSE

1. **AGRICULTURAL APPROPRIATION BILL, 1960.** Received the conference report on this bill, H. R. 7175 (H. Rept. 588) (pp. 11009-11, 11075). Rep. Judd objected to the request of Rep. Whitten for immediate consideration of the report (p. 11011). At the end of this Digest is a summary of the actions of the conferees.
2. **GENERAL GOVERNMENT MATTERS APPROPRIATION BILL, 1960.** Agreed to an amendment to a Senate amendment on this bill, H. R. 7176, which will appropriate \$125,000 (instead of \$250,000 as provided by the Senate) for the use of Federal agencies, under the direction of the Budget Bureau, in improving management operation and establishing more efficient business methods in Government operations (p. 11006). The Senate later agreed to this House amendment (pp. 10985-6). This bill will now be sent to the President.
3. **SUPPLEMENTAL APPROPRIATION BILL, 1960.** Passed with amendments this bill, H. R. 7978 (pp. 11020-44). See Digest 106, item 20, for items of interest to this Department.

4. STATE-JUSTICE APPROPRIATION BILL, 1960. Conferees were appointed on this bill, H. R. 7343 (p. 11006). Senate conferees have already been appointed.
5. D. C. APPROPRIATION BILL, 1960. Conferees were appointed on this bill, H. R. 5676 (p. 11006). Senate conferees have already been appointed.
6. WATERSHEDS. The Public Works Committee approved the following watershed plans: Tobesofkee Creek, Ga., Big Blue Creek, Ill., and Shoal Creek, Ill. p. 11007
7. LEGISLATIVE BRANCH APPROPRIATION BILL, 1960. Acted on the Senate amendments to this bill, H. R. 7453, and returned the bill to the Senate. pp. 11007-9
8. CONTRACTS. Conferees were granted permission until midnight June 29, to file a report on H. R. 7086, to extend the Renegotiation Act of 1951. p. 11020
9. FOOD; MARKETING. Received from the Federal Trade Commission an economic report, "Economic Inquiry Into Food Marketing - Interim Report." p. 11075
10. PERSONNEL. Received from the Civil Service Commission a "Special Report of the Board of Actuaries on the Valuation of the Civil Service Retirement System as of June 30, 1958." p. 11075
The Post Office and Civil Service Committee reported with amendment H. R. 6059, to provide additional civilian positions for the Defense Department for scientific research and development (H. Rept. 597). p. 11076
11. PRICES; INFLATION. Several Representatives debated the merits of the report of the Cabinet Committee on Price Stability for Economic Growth, and discussed the problem of controlling inflation. pp. 11046-51, 11052-55, 11055-62

SENATE

12. FOOD SURPLUSES. Sen. Mansfield criticized the Administration's food distribution policies here and abroad, urged the Administration to give Congress "a program which will see to it that every needy person in this country gets an equitable share" of our food production, recommended a long-range program to close up "disgraceful loopholes" in present law, to aid schools and other institutions, and to aid foreign countries, and inserted several articles on the subject. pp. 10931-3
13. MONOPOLIES. The Judiciary Committee reported with amendments S. 716, to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws (S. Rept. 451). p. 10924
14. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported without amendment S. 1789, to amend section 1 (14) (a) of the Interstate Commerce Act so as to insure the adequacy of the national railroad freight car supply (S. Rept. 452). p. 10924
15. PERSONNEL; ACCOUNTING. The Post Office and Civil Service Committee reported with amendments two bills: ~~S. 1495, to consolidate and revise the laws relating to employment of aliens in the several States and the District of Columbia (S. Rept. 437), and H. R. 6134, to amend the Federal Employees Pay Act of 1945 so as to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years (S. Rept. 436).~~ p. 10924

ALLOCATING PORTIONS OF FISCAL YEAREND PAYROLL PERIODS TO PROPER FISCAL YEAR ACCOUNTS

JUNE 29, 1959.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany H.R. 6134]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 6134) to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.

COMMITTEE AMENDMENTS

The committee amendment adds section 2 to the House approved bill. The title of the bill is amended to read as follows:

An act to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, and for other purposes.

PURPOSE

The purpose of H.R. 6134, as passed by the House, is to repeal a provision of the Federal Employees Pay Act of 1945.

The purpose of the committee amendment is to correct a technical deficiency in Public Laws 85-432 and 85-914.

EXPLANATION OF HOUSE PASSED BILL

Section 1, which is the portion of the bill passed in the House, carries out an official recommendation of the administration for the repeal of

a now unused authority contained in section 604 (b) of the Federal Employees Pay Act of 1945 providing as follows:

* * * When a pay period for such officers and employees begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period.

When the Federal employee pay system was shifted from a monthly or semimonthly to a biweekly basis, the above cited authority was included to facilitate payroll operations during the initial transition period.

Under the monthly and semimonthly pay system, the end of the fiscal year and the end of the pay period coincided. However, under the new biweekly pay system the end of the fiscal year would seldom coincide with the end of the pay period. The result was, when a pay period started in one fiscal year and ended in the next, the payroll for the full period could be, and often was, charged to the later appropriation.

This result met with the strong objection of the House Appropriations Committee who placed all departments and agencies on notice "that no estimates would be considered to cover earnings for workdays carried over from one year to another."

Since the provision of the 1945 Pay Act in question is inoperative by direction of the Appropriations Committee, it is desirable that it be repealed.

In public hearings in the House the Bureau of the Budget testified in support of early repeal of the provision. No testimony was offered in opposition.

EXPLANATION OF COMMITTEE AMENDMENT

The Classification Act provides that all new appointments be made at the minimum rate of the appropriate grade of the position to which the employee is appointed but that in the case of a transfer from one position to another, the employee's pay may be fixed at any step rate of the appropriate grade for the position to which he is transferred that does not exceed his rate of pay in the position from which transferred.

Due to a technicality in the wording of the law, the Comptroller General held that the movement of an employee from the legislative branch to the executive branch was not a transfer but the result of a new appointment. This meant that the employee had to start at the minimum rate of the grade even though he was receiving a higher salary in the legislative branch and notwithstanding a desire by the agency to fix his salary at a rate above the minimum of the grade.

This obvious inequity was overcome insofar as legislative employees were concerned by the enactment of Public Law 85-432 and Public Law 85-914, amending the Classification Act and the Postal Pay Act, respectively, to permit an employee moving from the legislative branch to the executive branch to have his initial rate of pay in the executive branch fixed at any step of the appropriate grade of the position not in excess of his previous rate of compensation in the legislative branch.

These two laws in turn were held by the Comptroller General to apply only to employees and not to Members of Congress who accept positions in the executive branch. The committee amendment is designed to remove this obvious inequity.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic, existing law proposed to be omitted is enclosed in back brackets, existing law in which no change is proposed is shown in roman):

SECTION 604(b) OF THE FEDERAL EMPLOYEES PAY ACT OF 1945

ESTABLISHMENT OF BASIC WORKWEEK; WORK SCHEDULES; PAY
COMPUTATION METHODS

SEC. 604. (a) * * *

(b) Beginning not later than October 1, 1945, each pay period for all officers and employees of the organizations referred to in subsection (a), except officers and employees of the Isthmus of Panama in the Service of the Panama Canal or the Panama Railroad Company, shall cover two administrative workweeks. [When a pay period for such officers and employees begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period.]

SECTION 802(c) OF THE CLASSIFICATION ACT OF 1949, AS AMENDED

SEC. 802 (a) * * *

(b) * * *

(c) Any employee in the legislative branch whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, and who has completed two or more years of service as such an employee, *and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member*, may upon appointment to a position subject to the Classification Act of 1949 have his initial rate of compensation fixed at the minimum rate of the appropriate grade, or at any step of such grade that does not exceed the highest previous rate of compensation received by him during such service in the legislative branch.

SECTION 501(b) OF THE POSTAL FIELD SERVICE CLASSIFICATION ACT OF
1955, AS AMENDED

SEC. 501(a) * * *

(b) Any employee of the legislative branch whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, and who has completed two or more years of service as such an employee, *and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member*, may upon appointment to a position to which this Act applies have his initial rate of compensation fixed at the minimum rate of the appropriate level of the basic salary schedule applicable to such position, or at any step of that level that does not exceed the highest previous rate of compensation received by him during such service in the legislative branch.

Calendar No. 431

86TH CONGRESS
1ST SESSION

H. R. 6134

[Report No. 436]

IN THE SENATE OF THE UNITED STATES

JUNE 2, 1959

Read twice and referred to the Committee on Post Office and Civil Service

JUNE 29, 1959

Reported by Mr. JOINSTON of South Carolina, with amendments

[Insert the part printed in italic]

AN ACT

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 604 (b) of the Federal Employees Pay Act
4 of 1945 (59 Stat. 303; 5 U.S.C. 944 (b)) is amended
5 by striking out the following sentence: "When a pay period
6 for such officers and employees begins in one fiscal year
7 and ends in another, the gross amount of the earnings for
8 such pay period may be regarded as a charge against the

1 appropriation or allotment current at the end of such pay
2 period.”

3 *SEC. 2. (a) Section 802(c) of the Classification Act*
4 *of 1949, as amended (5 U.S.C. 1132(c)), is amended by*
5 *inserting after the words “service as such an employee,” the*
6 *following: “and any Member of the Senate or House of Rep-*
7 *resentatives who has completed two or more years of service*
8 *as such a Member,”.*

9 *(b) Section 501(b) of the Postal Field Service Classi-*
10 *fication Act of 1955, as amended (39 U.S.C. 991(b)), is*
11 *amended by inserting after the words “service as such an em-*
12 *ployee,” the following: “and any Member of the Senate or*
13 *House of Representatives who has completed two or more*
14 *years of service as such a Member,”.*

Amend the title so as to read: “An Act to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, and for other purposes.”

Passed the House of Representatives June 1, 1959.

Attest:

RALPH R. ROBERTS,

Clerk.

86TH CONGRESS
1ST SESSION

H. R. 6134

[Report No. 436]

AN ACT

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years.

JUNE 2, 1959

Read twice and referred to the Committee on Post
Office and Civil Service

JUNE 29, 1959

Reported with amendments

H. R. 6134

March 10, 1934

AN ACT

To amend the Act approved June 15, 1933,

relating to the Federal Reserve Bank of New York,

and for other purposes.

Enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

March 10, 1934.

Approved March 10, 1934.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of July 6, 1959
86th-1st, No. 112

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HIGHLIGHTS: House debated resolution to disapprove Reorganization Plan 1 on forest land authorities. House committee reported bill to modify and enact the Plan. Senate debated mutual security authorization bill. Senate subcommittee voted to report public works appropriation bill. Rep. Johnson, Wis., introduced and discussed bill to transfer administration of School Lunch Act to HEW.

HOUSE

1. FORESTRY; REORGANIZATION. Began and concluded debate on H. Res. 295, to disapprove Reorganization Plan No. 1 of 1959 which would transfer from Interior to this Department certain authorities for the exchange or sale of forest land and timber (pp. 11603-09). A vote on the measure was postponed until today, July 7 (p. 11609).

The Government Operations Committee reported, on July 3, with amendment H. R. 7681, to enact the provisions of Reorganization Plan No. 1 with amendments (H. Rept. 633) (p. 11614). Rep. Brown, O., protested against the Committee reporting the bill without public hearings, and stated that he had checked with Agriculture, Interior, and the Budget Bureau, and had been informed that they had not been requested by the Committee to testify on the bill (pp. 11604-5). Rep. Dawson, Ill., stated that H. R. 7681 will be brought up for consideration at a later date (p. 11609).

Passed as reported H. R. 3682, to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958. p. 11577

2. RESEARCH. Passed with amendments H. R. 6436, to amend the Federal Insecticide, Fungicide, and Rodenticide Act so as to include nematocides, plant regulators, defoliants, and desiccants. pp. 11576-7
3. WILDLIFE; SURPLUS. GRAINS. Passed over, at the request of Rep. Pelly, H. R. 7631, to make permanent the act of July 3, 1956, authorizing Interior to requisition low-quality grain from CCC for use in the prevention of waterfowl depredations. p. 11577
4. PERSONNEL. Passed as reported H. R. 7577, to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment. p. 11578
Passed as reported H. R. 6059, to provide additional civilian positions in the Defense Department for scientific research and development. p. 11583
5. MONOPOLIES. Passed under suspension of the rules S. 726, to amend the Clayton Act so as to provide for the more expeditious enforcement of cease and desist orders issued under the act (pp. 11592-99). Rep. Celler stated that under the bill "Clayton Act cease and desist orders will become final and conclusive 60 days after issuance unless the respondent seeks judicial review. In the event that judicial review is sought, the cease and desist order will become final when affirmed by the court" (p. 11593). The "Daily Digest" states that the bill was passed with amendment (p. D569).

SENATE

6. MUTUAL SECURITY. Continued debate on S. 1451, the mutual security authorization bill for 1959. pp. 11539-47, 11548-65
7. PERSONNEL. Passed as reported H. R. 6134, to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. p. 11529
Passed as reported S. 1495, to consolidate and revise the laws relating to employment of aliens in the several States and D. C. p. 11529
Passed over, at the request of Sen. Keating, S. 2162, to provide a health benefits program for Government employees. p. 11536
8. WATER; RECLAMATION. Passed over at the request of Sen. Keating S. 281, to authorize the Secretary of Interior to construct, operate, and maintain a re-regulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho. pp. 11529-30
Received from the Illinois Legislature a resolution urging Congress to defend and preserve the water rights of the States and individuals. p. 11510
9. PUBLIC WORKS APPROPRIATION BILL FOR 1960. A subcommittee of the Appropriations Committee voted to report to the full committee this bill, H. R. 7509. p. D568
10. TRANSPORTATION. Passed as reported S. 1509, to amend the Interstate Commerce Act as amended to provide for "grandfather" rights (preference rights for certain carriers operating in the past) for certain motor carriers and freight forwarders in Alaska. pp. 11524-6

respect to wages of U.S. seamen was announced as next in order.

Mr. KEATING. Over, by request.

Mr. MAGNUSON. Mr. President, the Senator from New York [Mr. KEATING] will, I believe, be interested in what I am about to say. The bill involves some very serious legal questions. I hope that the State of New York and some of the other States which have been attaching the wages of seamen will come to some agreement so that there will not be the form of double taxation which is now occurring.

I understand from the Senator from New York that the tax commissioner of New York, or the New York State Taxing Authority, has the matter under consideration. I hope the situation will be cleared up, because there have been some instances of the withholding of seamen's wages for State taxes when the seamen are not residents of the State. This practice poses a serious problem. I feel certain that we will be able to clear it up.

Mr. KEATING. As the distinguished Senator from Washington knows, I am acting at the moment in a rather representative capacity. I have had requests from other Senators to ask that the bill be passed over. But if the Senator from Washington wishes to confer with the majority leadership and have the bill called up in the regular manner, there would be no objection. But I felt I must comply with the request of Senators who have asked me to object to the passage of the bill on the Consent Calendar.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 1508) to provide for economic regulation of the Alaska Railroad under the Interstate Commerce Act, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF FEDERAL EMPLOYEES PAY ACT OF 1945

The Senate proceeded to consider the bill (H.R. 6134) to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, which had been reported from the Committee on Post Office and Civil Service, with an amendment, on page 2, after line 2, to insert a new section, as follows:

SEC. 2. (a) Section 802(c) of the Classification Act of 1949, as amended (5 U.S.C. 1132 (c)), is amended by inserting after the words "service as such an employee," the following: "and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member,".

(b) Section 501(b) of the Postal Field Service Classification Act of 1955, as amended (39 U.S.C. 991(b)), is amended by inserting after the words "service as such an em-

ployee," the following: "and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, and for other purposes."

REVISION OF LAWS RELATING TO EMPLOYMENT OF ALIENS

The Senate proceeded to consider the bill (S. 1495) to consolidate and revise the laws relating to employment of aliens in the several States and the District of Columbia which had been reported from the Committee on Post Office and Civil Service with amendments, on page 3, line 4, after the date "August 1", to strike out "1946" and insert "1956"; in line 11, after the word "subsection", to strike out "(g)" and insert "(h)"; in line 12, after the word "subsection", where it appears the first time, to strike out "(h)" and insert "(i)"; and in the same line, after the word "subsection", where it appears the second time, to strike out "(g)" and insert "(h)", and on page 4, at the beginning the line 20, to strike out "147" and insert "1471", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a person may not be employed by the Government of the United States, or by a corporation the majority of whose stock is owned by the United States, in an appointive or elective position within the several States and the District of Columbia unless he is a citizen of the United States or owes permanent allegiance to the United States. An affidavit to this effect signed by the person shall be considered prima facie evidence that he meets the requirement of this subsection. Remuneration paid to a person employed by the United States who does not meet the requirement of this subsection shall be recoverable by the United States.

(b) This section does not apply to (A) temporary or indefinite employment of aliens when it is not possible to recruit qualified citizens; (B) temporary employment for not more than thirty days as a result of emergencies; or (C) employment at nominal remuneration in positions at Government hospitals when filled by patients as therapeutic treatment.

(c) This section shall not operate to prevent the retention and compensation after the effective date of this Act of an alien lawfully employed by the United States on the day before this Act became applicable to his position.

SEC. 2. (a) Section 2 of the Act of March 5, 1942, ch. 140, as amended (7 U.S.C. 172), is further amended by striking so much of the first sentence as reads, "including citizens of other countries,".

(b) Section 1584 of title 10, United States Code, is repealed.

(c) Section 7473 of title 10, United States Code, is repealed.

(d) Section 2 of the Act of February 28, 1947, chapter 8, as amended (21 U.S.C. 174c), is further amended by striking "including the employment of civilian nationals of Mexico,".

(e) Section 5(b) of the Act of August 1, 1956, chapter 841 (5 U.S.C. 1701), is amended by striking clause (1) and renumbering clauses (2), (3), and (4) as (1), (2), and (3), respectively.

(f) Section 207 of the Act of July 1, 1944, chapter 373, as renumbered by the Act of February 28, 1948, chapter 83, section 5, and amended (42 U.S.C. 209), is further amended by striking subsection (h) and redesignating subsection (i) as subsection (h).

(g) Section 202(b) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473) is amended by striking clause (10) and redesignating clauses (11), (12), and (13) as clauses (10), (11), and (12), respectively.

(h) The second paragraph under the heading "Library of Congress, Administrative Provisions" in section 101 of the Act of July 31, 1958, Public Law 85-570 (72 Stat. 452), is repealed.

(i) The paragraph under "Foreign Claims Settlement Commission, salaries and expenses" in section 101 of the Act of June 25, 1958, Public Law 85-468 (72 Stat. 223), is amended by striking so much as reads "and employment of aliens;" and by inserting "and" before "hire of motor vehicles for field use only".

(j) Section 202 of the Act of June 25, 1958, Public Law 85-468 (72 Stat. 224), is repealed.

(k) Title IV of the Act of June 30, 1958, Public Law 85-474 (72 Stat. 256), is amended by striking "(2) aliens within the United States," and redesignating the following clause (3) as (2).

(l) Section 402 of the Act of June 13, 1958, Public Law 85-459 (7 U.S.C. 435), is repealed.

(m) Section 602 of the Act of August 22, 1958, Public Law 85-724 (72 Stat. 723), is repealed.

(n) Section 6 of the Act of July 28, 1950, chapter 503 (5 U.S.C. 341d), is amended by striking clauses (b) and (d) and redesignating clauses (c) and (e) as (b) and (c), respectively.

(o) Section 801(5) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471) is amended by striking "(i)" and ", and (ii) aliens within the United States, but such employment of aliens shall be limited to services related to the translation or narration of colloquial speech in foreign languages when suitably qualified United States citizens are not available".

(p) Chapter XI of the Act of August 27, 1958, Public Law 85-766 (72 Stat. 880), is amended by striking from the paragraph headed "Operating expenses" the words "including the employment of aliens".

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF SPECIAL ENLISTMENT PROGRAMS

The bill (H.R. 3368) to extend the special enlistment programs provided by section 262 of the Armed Forces Reserve Act of 1952, as amended, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 281) to authorize the Secretary of the Interior to construct, operate, and maintain a reregulating reservoir and other works at the Burns

Creek site in the upper Snake River Valley, Idaho, and for other purposes, was announced as next in order.

MR. KEATING. Over by request.

The PRESIDING OFFICER. The bill will be passed over.

WILLIAM REINKE

The bill (S. 368) for the relief of William Reinke was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the second sentence of subsection (b) of section 6420 of the Internal Revenue Code of 1954 (gasoline used on farms), the claim of William Reinke, of Alfred, North Dakota, for payment under such section with respect to gasoline used during the period beginning January 1, 1956, and ending June 30, 1956, shall be allowed, if otherwise allowable under such section and if claim therefor is filed within one year after the date of the enactment of this Act.

AUTHORITY OF CUSTOMS COURT TO APPOINT EMPLOYEES

The bill (S. 1947) relating to the authority of the Customs Court to appoint employees, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 55 of title 28 of the United States Code is amended to read as follows:

"CHAPTER 55—CUSTOMS COURT

"Sec.

"§71. Clerk, chief deputy clerk, assistant clerk, deputies, assistants, and other employees.

"§72. Marshal and deputy marshals.

"§73. Criers, bailiffs, and messengers.

"§ 871. Clerk, chief deputy clerk, assistant clerk, deputies, assistants, and other employees.

"The Customs Court may appoint a clerk, a chief deputy clerk, an assistant clerk, deputy clerks, and such deputies, assistants, and other employees as may be necessary for the effective dispatch of the business of the court, who shall be subject to removal by the court.

"§ 872. Marshal and deputy marshals.

"The Customs Court may appoint a marshal and deputy marshals, who shall be subject to removal by the court.

"The marshal and his deputies shall attend court at its sessions, serve and execute all process and orders issued by it, and exercise the powers and perform the duties concerning all matters within such court's jurisdiction assigned to them by the court.

"Under regulations prescribed by the Director of the Administrative Office of the United States Courts, the marshal shall pay the salaries, office expenses, and travel and subsistence allowances of the judges, officers, and employees of the court, and shall disburse funds appropriated for all expenses of the court.

"On all disbursements made by the marshal of the Customs Court for official salaries or expenses, the certificate of the payee shall be sufficient without verification on oath.

"§ 873. Criers, bailiffs, and messengers.

"The Customs Court may appoint such criers as it may require for said court, which criers shall also perform the duties of bailiffs and messengers and such other duties as

the court directs and shall be subject to removal by the court."

SEC. 2. Section 550(b) of title 28 of the United States Code is amended by striking out "judges of the Customs Court,".

SEC. 3. The first paragraph of section 253 of title 28 of the United States Code is amended to read as follows:

"The chief judge of the Customs Court, with the approval of the court, shall supervise the fiscal affairs and clerical force of the court. The Chief judge shall assign or reassign, before trial and under rules of the court, any case for hearing, determination, or both; and promulgate dockets."

SEC. 4. Nothing contained in the amendments made by this Act shall be construed to deprive any person serving on the date of enactment of this Act as an officer or employee of the Customs Court of any rights, privileges, or civil service status, if any, to which such person is entitled under the laws of the United States or regulations thereunder.

GROVER J. COLE

The bill (S. 196) for the relief of Grover J. Cole was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Grover J. Cole of Waterford, Connecticut, is hereby relieved of all liability to repay to the United States the sum of \$2,108.50, representing overpayments of retirement pay erroneously paid to him by the Department of the Army during the period from July 1, 1952, to February 28, 1958, such overpayments having occurred as a result of administrative error.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Grover J. Cole, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

HERMAN LUCHNER

The bill (S. 1829) for the relief of Herman Luchner was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(9) of the Immigration and Nationality Act, Herman Luchner may be issued a visa and be admitted to the United States for permanent residence if otherwise admissible under the provisions of that Act: Provided, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

MILKA JURISICH

The bill (S. 2100) for the relief of Milka Jurisich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Milka Jurisich, shall be held and considered to be the natural-born alien child of Anica Jurisich, a citizen of the United States: Provided, That no natural parent of Milka Jurisich, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

T. SGT. WALTER CASEY

The bill (H.R. 1547) for the relief of T. Sgt. Walter Casey was considered, ordered to a third reading, read the third time, and passed.

ARTHUR J. DITTMERS, JR.

The bill (H.R. 2065) for the relief of Arthur J. Dittmers, Jr., was considered, ordered to a third reading, read the third time, and passed.

DR. RADBOUD LOUWRENS BEUKENKAMP

The bill (H.R. 5914) for the relief of Dr. Radboud Louwrens Beukenkamp was considered, ordered to a third reading, read the third time, and passed.

MONMOUTH COUNTY, N.Y.

The Senate proceeded to consider the bill (H.R. 322) for the relief of Monmouth County, N.Y., which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 2, after the word "Act," to strike out "in excess of 10 per centum thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HARRY F. LINDALL

The Senate proceeded to consider the bill (H.R. 1605) for the relief of Harry F. Lindall, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That sections 15 to 20, inclusive, of the Act entitled "An Act to provide for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (5 U.S.C. 765-770), are hereby waived in favor of Harry F. Lindall, of Port Orchard, Washington, and his claim for compensation for disability allegedly caused by his employment in the Puget Sound Naval Shipyard beginning in May 1946 is authorized and directed to be considered and acted upon under the remaining provisions of such Act, as amended, if he files such claim with the Department of Labor (Bureau of Employees' Compensation) not alter than six months after the date of enactment of this Act: *Provided, That no benefits except hospital and medical expenses actually incurred shall accrue for any period of time prior to the date of enactment of this Act.*

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF TITLE XI OF THE MERCHANT MARINE ACT, 1936

The Senate proceeded to consider the bill (S. 2148) to amend title XI of the Merchant Marine Act, 1936, as amended, to provide for the deposit of funds in escrow with the Secretary of Commerce, to provide for the payment of insurance in part on the basis of such deposits, and for other purposes, which had been reported from the Committee

July 16, 1959

hearings, and S. 600, relative to establishment of an Office of Administrative Practice. p. 12323

12. LEGISLATIVE PROGRAM. Sen. Johnson announced that a vote will be taken Tues., July 21, on S. 1138, the veterans' loan and training bill. p. 12372

HOUSE

13. TRAVEL. The Government Operations Committee reported with amendment H. R. 5196, to increase the maximum rates of per diem allowance for Government employees traveling on official business (H. Rept. 683). p. 12439

14. PUBLIC WORKS. Passed as reported H. R. 7634, to authorize the construction, repair, and preservation of certain public works on rivers and harbors for navigation and flood control. pp. 12388-98

15. DEFENSE APPROPRIATION BILL FOR 1960. Agreed to a conference on this bill, H. R. 7454. Conferees were appointed. Senate conferees have already been appointed. p. 12386

16. ACCOUNTING. Concurred in the Senate amendments to H. R. 6134, to amend the Federal Employees Pay Act to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. Also adopted an amendment to the Senate amendment offered by Rep. Murray to provide for an effective date of the Senate amendment which relates to the assignment of former Members of Congress to certain within grade steps (presently Members of Congress must start in the first step of the pay grade and this amendment allows Members to start in higher steps). pp. 12398-9

17. ATOMIC ENERGY APPROPRIATIONS FOR 1960. Authorized the Appropriations Committee to have until midnight today (July 17) to report this bill. p. 12386

18. CREDIT UNIONS. The "Daily Digest" states that the Banking and Currency Committee voted to report (but did not actually report) a clean bill in lieu of H. R. 5777, relating to Federal credit unions. p. D620

19. PERSONNEL. The "Daily Digest" states that the Post Office and Civil Service Committee voted to report (but did not actually report) H. R. 7758, to provide increased benefits to Government personnel stationed in a foreign area relating to cost of living allowances, storage and transportation expenses, sick and annual leave, and other provisions. p. D620

20. FOREIGN AFFAIRS. The Banking and Currency Committee reported with amendment H. R. 7072, to provide the participation of the United States in the Inter-American Development Bank (H. Rept. 678). p. 12439

21. LEGISLATIVE OVERSIGHT. Rep. Harris discussed some of the activities of the Special Subcommittee on Legislative Oversight concerning the investigation of certain rules, regulations, and administrative actions of several regulatory agencies and stated that the Subcommittee has had to concentrate its investigations to six agencies including the Federal Power Commission, Federal Trade Commission, and Interstate Commerce Commission. pp. 12414-7

22. INFLATION; INTEREST RATES. Rep. Reuss and others discussed interest rates, inflation, the public debt, and the Federal Reserve. pp. 12429-33, 12435-6

23. MUTUAL SECURITY. The "Daily Digest" states that conferees met in executive session to resolve the differences between the House and Senate passed versions of H. R. 7500, the mutual security authorization bill for 1959, but came to no conclusion thereon and will meet today (July 17). p. D621
24. LEGISLATIVE PROGRAM. Rep. McCormack stated that next week the Consent Calendar would be called on Mon. and that there would be several suspensions including H. R. 968, the Vale Federal reclamation project, Ore., and H. R. 804, the Spokane Valley Federal reclamation project, that on Tues. the Private Calendar and the Atomic Energy appropriation bill would be considered, that conference reports could be brought up at any time, and that action of the mutual security appropriation bill would commence after the President signs the authorization bill. p. 12388
25. ADJOURNED until Mon., July 20. p. 12438

ITEMS IN APPENDIX

26. SURPLUS COMMODITIES. Sen. Humphrey inserted his recent address, "How to Win the Economic Cold War," in which he stated that "we must put our agricultural abundance to good use ...," and "there is something wrong when a nation stores food in caves while millions of people go unfed," and recommended an extension and expansion of Public Law 480. pp. A6143-4
27. RECLAMATION. Sen. Curtis inserted Interior Secretary Seaton's address discussing the reclamation programs and accomplishment of the administration. pp. A6144-5
- Extension of remarks of Rep. Gubser quoting excerpts from various articles on the proposed Trinity River project. p. A6180
28. FAMILY FARM. Extension of remarks of Rep. Van Zandt commending and inserting an article, "Will the Family Farm Fade Out of the American Scene?" pp. A6152-3
29. SEED. Extension of remarks of Rep. Mumma inserting an address by Charles B. Mills, American Seed Trade Ass'n, discussing the benefits received from extensive research by the seed industry. pp. A6158-9
30. WATER RESOURCES. Extension of remarks of Rep. Aspinall inserting an address by the Director of the Office of Saline Water, "Unlocking a New Water Supply." pp. A6161-2
- Rep. Blatnik inserted the report of the committee on industrial water use, pollution abatement, etc. pp. A6162-4
- Rep. Rogers inserted various resolutions adopted by the Nat'l Rivers and Harbors Congress. pp. A6170-1
31. ELECTRIFICATION. Extension of remarks of Rep. Jensen objecting to certain alleged criticisms of him by Clyde T. Ellis, and stating that "for years Mr. Ellis has attempted to smear me in the minds of REA members." pp. A6166-7
32. FOOD-FOR-PEACE. Extension of remarks of Reps. Cunningham and Wolf inserting editorials favoring the proposed food-for-peace plans. pp. A6161-2
33. FARM PROGRAM. Extension of remarks of Rep. Stubblefield inserting an article, "Shift of Public Opinion Against Farmer Will Not Help Agriculture." p. A6173

Page 4, after line 24, insert the following: "Indiana Harbor, Indiana: House Document Numbered 195, Eighty-sixth Congress, at an estimated cost of \$374,000;"

Page 5, after line 13, insert the following: "Erie Harbor, Pennsylvania: House Document Numbered 199, Eighty-sixth Congress, at an estimated cost of \$1,729,000;"

Page 7, after line 2, insert the following: "Lake Pontchartrain, Louisiana."

Page 9, after line 9, insert the following:

"THAMES RIVER BASIN

"The project for the West Thompson Reservoir on the Quinebaug River, Connecticut, is hereby authorized substantially as recommended by the Chief of Engineers in Senate Document Numbered —, Eighty-sixth Congress, at an estimated cost of \$4,010,000."

Page 10, line 8, strike out the dash mark after the word "Numbered" and insert in lieu thereof "180".

Page 11, line 24, strike out the dash mark after the word "Document" and insert in lieu thereof "Numbered 184".

Page 11, after line 25, insert the following:

"GREAT LAKES BASIN

"The project for flood protection on Cayuga Inlet at and in the vicinity of Ithaca, New York, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered —, Eighty-sixth Congress, at an estimated cost of \$3,950,000."

"The project for flood protection on Smokes Creek at and in the vicinity of Lackawanna, New York, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 200, Eighty-sixth Congress, at an estimated cost of \$1,974,000."

The CHAIRMAN. The question is on the committee amendments.

Mr. HOFFMAN of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN of Michigan. How can anyone get the floor now?

The CHAIRMAN. The gentleman from Michigan may rise in opposition to the amendments.

Mr. HOFFMAN of Michigan. On each one of them?

The CHAIRMAN. The amendments are being considered en bloc.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word, anyway, and the first word, too.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. HOFFMAN of Michigan. Mr. Chairman, when I came in today I understood there had been some trouble with a previous bill, which was vetoed, that we had a new bill, and that the projects we objected to in the former bill had been kept out of the new bill; is that right?

Mr. DAVIS of Tennessee. That was in the last omnibus bill which we vetoed twice. Then we finally got it in such shape with the approval of the White House. The bill now before the House, I respectfully suggest, comes to you with the unanimous approval of the Committee on Public Works of the House, the approval of the Corps of Engineers, and has cleared the Bureau of the Budget. So all of these projects have been cleared by all of the executive agencies and we feel some pride that we

have brought to the House a bill which, after long thought and deliberation and a lot of hearings, is as clean as a hound's tooth so far as the rules and regulations are concerned.

Mr. HOFFMAN of Michigan. I have seen some pretty dirty dog teeth after the dog got into a flock of sheep. But what I would like to know is this: Is this in some way—and I will not characterize the way—but is this a partial repudiation of the veto of the President?

Mr. DAVIS of Tennessee. This has nothing at all to do with any action taken heretofore by the President or by the House of Representatives or even by the other body.

Mr. HOFFMAN of Michigan. Do you mean those who advised the President to veto the bill, and this is not circumventing what they suggested; is it? Or is it?

Mr. DAVIS of Tennessee. I certainly cannot answer for the advisers of the President. I do not know whom he would ask about that.

Mr. HOFFMAN of Michigan. Well then, the veto.

Mr. DAVIS of Tennessee. I do say this with all respect to the gentleman, that we have brought you a bill with the unanimous approval of the Committee on Public Works.

Mr. HOFFMAN of Michigan. I understand that, but what I am getting at now is—is this a way of getting around at least a part of the effect of the President's veto? Are we putting back something that was in the bill to which he objected when he vetoed it?

Mr. DAVIS of Tennessee. I just cannot answer that because we are presenting a bill which, if the House passes it and the other body concurs, we will give you a bill which we think is a good bill.

We cannot, of course, control the President; whatever he does is his business.

Mr. HOFFMAN of Michigan. That is right. But I wondered if in this way we were taking a trick or two that he does not know about or disapproves of.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. Surely.

Mr. SMITH of Mississippi. None of the projects in this bill were included in the bill the President vetoed. But I might point out that the President signed a bill which included most of the items he objected to when he vetoed the other bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. GROSS. The question I would like to have answered is whether any of these 11 amendments which are presently being added to the bill were in the bill as previously vetoed.

Mr. DAVIS of Tennessee. I would be glad to answer that. Not a single one, sir.

Mr. MACK of Washington. The gentleman from Michigan will recall that when the rivers and harbors and flood control bill was before Congress in 1959, we on the minority offered 18 amendments to strike 14 projects that were ob-

jectionable to the President and the administrative agencies, but they overrode our objections, accepted none of the objections, and the President vetoed the bill. Afterward, a few of those projects were restored because in the meantime we got reports from the different agencies.

There are no projects in this bill that were affected by the President's veto in 1958.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. OLIVER. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Maine is recognized.

Mr. OLIVER. Mr. Chairman, I rise in support of this amendment.

The inclusion of the Wells Harbor project in the pending amendment along with these 10 other projects is greatly appreciated by me in the interests of my constituents in the town of Wells, as well as the entire southwesterly section of Maine.

This improvement to the coastal resources of my State will result in gains far beyond the costs of the projects. Fishermen, pleasure-boat enthusiasts, and taxpayers alike benefit through this type of development of this great natural resource of ours, the coastal shoreline of Maine. In fact, Mr. Chairman, this is a self-liquidating project, increasing the real values of the community and the entire area.

The history of the Wells area is most interesting. In 1873, the Federal Government repaired a Government pier at Wells Harbor and straightened and deepened the channel over the entrance bar. This work was completed at a cost of \$5,000. Since 1873, there have been no additional Federal expenditures for maintenance so that now only ruins of the pier remain. The town has constructed seawalls for the protection of private property near the harbor entrance, but has been unable to afford additional urgently needed expenditures for navigational improvement of the harbor.

The town of Wells is one of Maine's well-known vacation areas for those who love the sea and our beaches. This is evidenced by the fact that the town's permanent population is 2,300 while during the summer the town's population mounts to over 20,000. The principal economic activities in Wells are centered around commercial fishing and the summer recreational business. Both of these endeavors require modern, efficient, and safe navigational facilities. However, incredible as it may seem, there is at present no waterborne commerce or vessel traffic at Wells Harbor. Locally owned recreational and commercial fishing craft are based at other harbors, which have been similarly improved under Federal-State-community projects.

The adequate harbor facilities to be provided by this project are urgently required to meet local commercial fishing and recreational needs. The monetary dividends which will result from the development of the Wells Harbor project will return manifold the Federal invest-

ment of \$340,000 authorized by this amendment.

These projects which are before the House today in this omnibus bill constitute an investment in our Nation's future. Consequently, I strongly urge adoption of the pending amendment and passage of the bill.

(Mr. OLIVER asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer a preferential motion. The Clerk read as follows:

Mr. HOFFMAN of Michigan moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. HOFFMAN of Michigan. Mr. Chairman, I ask the gentleman in charge of the bill on the minority side a question. All I want to know is whether any of the projects in the amendments, which total something near \$10 million, are items to which the administration has objection.

Mr. MACK of Washington. The administration has no objection.

Mr. HOFFMAN of Michigan. Just who do you include in "administration"?

Mr. MACK of Washington. The Army Engineers represent the administration; the Budget Bureau represents the administration. They all testified in favor of these 11 projects which have come in since the original bill was approved.

Mr. HOFFMAN of Michigan. Does whoever was responsible for the veto know about them?

Mr. MACK of Washington. The Army Engineers and the Budget Bureau would be directly responsible for advising the President to veto the bill. The Budget Bureau is for all of these projects.

Mr. SCHERER. If the gentleman will yield.

Mr. HOFFMAN of Michigan. Certainly.

Mr. SCHERER. The principal reason for the Presidential veto of the other bill was because of the inclusion of projects that did not have the approval of the Army Engineers or the Budget Bureau, or both. In the current instance, both in the bill and the amendments which the gentleman holds in his hand, the Bureau of the Budget and the Army Engineers have approved them.

Mr. HOFFMAN of Michigan. That is the information I sought. Thanks.

Mr. Chairman, I ask unanimous consent to withdraw my motion.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DAVIS of Tennessee. Mr. Chairman, I move the adoption of the amendments.

The amendments were agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. Hays, Chairman of the Committee of the Whole House on the State of the

Union, reported that that Committee, having had under consideration the bill (H.R. 7634) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, pursuant to House Resolution 317, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

AMENDING FEDERAL EMPLOYEES PAY ACT OF 1945

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6134) to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, with a Senate amendment thereto, and to consider the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

After line 10, insert:

"Sec. 2. (a) Section 802(c) of the Classification Act of 1949, as amended (5 U.S.C. 1132(c)), is amended by inserting after the words 'service as such an employee,' the following: 'and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member,'."

"(b) Section 501(b) of the Postal Field Service Classification Act of 1955, as amended (39 U.S.C. 991(b)), is amended by inserting after the words 'service as such an employee,' the following: 'and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member,'."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MURRAY. Mr. Speaker, I move to concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. MURRAY of Tennessee moves to concur in the Senate amendment with an amendment, as follows: At the end of the engrossed amendment of the Senate to the text of the bill, insert the following:

"Sec. 3. (a) The amendment made by section 2(a) of this Act shall become effective as of January 1, 1958.

"(b) The amendment made by section 2(b) of this Act shall become effective as of September 2, 1958.

"(c) Retroactive compensation or salary shall be paid, by reason of the amendments made by section 2 of this Act and the provisions of subsections (a) and (b) of this section, only to a former Member of the Senate or House of Representatives who, on the date of enactment of this Act, is in a position subject to the Classification Act of 1949 or the Postal Field Service Compensation Act of 1955, as the case may be, and with respect to whom appropriate administrative action is taken, pursuant to the amendments made by section 2 of this Act and the provisions of subsections (a) and (b) of this section, to advance such Member to a higher step rate of the grade or salary level concerned, as the case may be; and, when such administrative action is taken, such retroactive compensation or salary shall be paid to such former Member for all periods from and after the date of appointment of such former Member to the position concerned."

The SPEAKER. The question is on the motion offered by the gentleman from Tennessee [Mr. MURRAY].

The motion was agreed to.

The title was amended to read as follows: "An act to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, and for other purposes."

A motion to reconsider was laid on the table.

(Mr. MURRAY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MURRAY. Mr. Speaker, the purpose of this bill, as it passed the House, was to eliminate a provision of the Federal Employees Pay Act of 1945 which was inconsistent with present budget and appropriations procedures. As it passed the House, the bill simply provides that payroll costs must be charged to the fiscal year in which they occurred. Under present laws the costs may be charged to either fiscal year in cases where the last payroll period beginning in the previous fiscal year extends beyond July 1.

The amendment added by the Senate was an amendment to correct an oversight which affects the within-grade step pay rate to which former Members of Congress may be assigned if they accept a position, paid under the Classification Act schedules, in the executive branch of the Government.

All other Federal employees, including legislative employees, may be assigned a within-grade step rate of their pay grade which is not above the salary they were previously receiving as a Federal employee. This is not the situation as far as Members of Congress are concerned. They must begin in the first step of the pay grade. This has been merely an oversight. The Senate amendment will correct the situation.

The amendment which I have sent to the desk to the bill as amended by the Senate provides an effective date for the Senate amendment. This is necessary in

order that it may apply to Members presently on the rolls who could not be appointed to the proper salary rate. It will permit administrative correction of this situation.

GOVERNMENT OPERATIONS COMMITTEE REPORT

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from Illinois [Mr. Dawson], I ask unanimous consent that the Committee on Government Operations may have until noon, Friday, July 17, to file a report on disposal problems of the Government-owned nickel plant at Nicaro, Cuba.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CHRONOLOGY OF INCIDENTS RELATING TO THE 19TH OF APRIL 1775, THE OPENING DAY OF THE WAR OF THE AMERICAN REVOLUTION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I understand there are 4 hours of special orders ahead of us this afternoon. I cannot wait until they are completed to ask for a special order myself, but I ask unanimous consent that I may extend my remarks at this point in the Record and include as part thereof a narrative of the events of the American Revolution with the hope we will help the passage of the minuteman monument bill commemorating the Battle of Lexington and Concord and that historic area which is in my district.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

(The matter referred to follows:)

CHRONOLOGY OF INCIDENTS RELATING TO THE 19TH OF APRIL 1775, THE OPENING DAY OF THE WAR OF THE AMERICAN REVOLUTION

The Revolutionary War of deeds, which began in earnest on the 19th of April 1775, was preceded by a long and no less significant war of words, with Boston as the principal center of agitation and objective of royal coercion. Fully living up to her reputation as the "Metropolis of Sedition," Boston was where the first British regiments were sent in 1768 to enforce, what seemed to the inhabitants, the harsh and tyrannical measures of a new British colonial imperialism and to quell the rebellious rumblings of a people possessed not only of an ardent passion for freedom but a jealous knowledge of self-government.

The presence of the royal troops provoked the famous Boston Massacre of March 5, 1770. They were removed from the town temporarily, but were back again in greater numbers after the port was closed by act of Parliament following further defiant demonstrations by mobs and the populace in general. Of these demonstrations the Boston Tea Party of December 16, 1773, was an illustrious example.

Tension between patriots and the soldiery had mounted to the breaking point and more reinforcements were on the way to aid in the increasingly difficult task of maintaining the King's rule when Gen. Thomas Gage, the military governor of the province, decided to take more positive measures to curb the bold enterprise of the patriot leaders. The most important of these measures

for which preparations began to be made in March 1775 was a plan to send an expeditionary force to Lexington and Concord to destroy powder and other military supplies.

The incidents listed in the chronological narrative below are indicated by date, day of the week, and the nearest hour or half hour, if known or possible to estimate. Where the hour is uncertain or cannot be determined with a reasonable degree of accuracy, nothing more definite than the part of the day is shown. This is the case with incidents that occurred before the 18th and 19th of April and, hence, are not quite so closely tied together.

Explanatory notes on matters of historical interest and commentaries on historic properties surviving or otherwise related to the incidents are added where applicable.

MARCH 20, 1775—MONDAY

Morning

General Gage, Military Governor of the Province of Massachusetts Bay, contemplating future operations into the country, sent Captain Brown of the 52d Regiment, Ensign De Berniere of the 10th Regiment, and a private on a secret scouting trip from Boston to Roxbury, Brookline, Weston, Sudbury, and Concord. The three were well armed and so strikingly disguised in "brown cloathes and reddish handkerchiefs" that they were readily recognized as spying British soldiers. They, nevertheless, obtained useful information bearing on the topographical features of the landscape and, with the help of a friend of the royal government, learned about the location of military stores being collected at Concord by the Committees of Safety and Supplies set up by the Provincial Congress. Plans for a night march began to be laid as soon as Brown and De Berniere returned from their mission.

(Daniel Bliss, a Tory, who lived near the mill pond in the center of Concord, assisted Brown and De Berniere. He left town with them never to return again.)

APRIL 18, 1775—SATURDAY

Morning

The grenadiers and light infantry, comprising the flank companies of the British regiments in Boston, were taken "off all duties till further orders." The reason given for this step were "Exercise and new evolutions." Paul Revere and his self-appointed patrol of patriots noticed the removal of these troops from their normal duties and reported the fact to Dr. Joseph Warren, who in turn relayed the intelligence to the Committee of Safety. Preparations for an expedition into the country to seize the military stores at Concord, some 18 miles distant, were at once suspected.

Afternoon

The Provincial Congress, meeting at Concord as the legislative body representative of patriots in the Province of Massachusetts Bay and in defiance of the military governor in Boston, adjourned. John Hancock and Samuel Adams, who had attended, went to Lexington to stay with the Reverend Jonas Clarke, who resided in the dwelling that is preserved by the Lexington Historical Society and known today as the Hancock-Clarke House.

(The site of the meetinghouse where the Provincial Congress met late in 1774 and early again in 1775 to lay plans for rebellion is marked by a fitting tablet in front of the present First Parish Church, Unitarian, on the south side of Lexington Road near the central square of Concord.)

APRIL 18, 1775—SUNDAY

Midnight or soon after

Paul Revere observed "about 12 o'clock at Night, the Boats belonging to the Transports were all launched, & carried under the sterns of the men of War." They had previously

been hauled up for repairs. This move was further interpreted as preparatory to an expedition, especially one that would carry troops by water across the Back Bay to the Cambridge shore.

Morning

Paul Revere rode to Lexington to warn John Hancock and Samuel Adams about the British preparations in Boston.

Evening

Returning to Boston through Charlestown, Revere "agreed with a Colonel Conant, and some other gentlemen, that if the British went out by water, he would shew two lanterns in the North Church Steeple; and if by land, one as a signal; for we were apprehensive it would be difficult to cross the Charles River, or to get over Boston neck." This arrangement was made, not to inform Revere, but to notify Colonel Conant and the "other gentlemen" so they could send word to Lexington and elsewhere if Revere should run into difficulty or be halted by the British in attempting to cross the Charles River or ride out via Boston neck and Roxbury.

(The Old North Church or Christ Church in Boston still survives and will be discussed in the final report of the Commission.)

APRIL 17, 1775—MONDAY

Morning

The Committees of Safety and Supplies in session at Concord received word of the British preparations in Boston, probably from John Hancock to whom Paul Revere had delivered the message in Lexington the day before. Whereupon the committees voted to transport some of the cannon at Concord to places of greater safety in adjacent towns. The committees also voted to adjourn and meet again the next day at "Mr. Wetherby's, at Menotomy," also known as the Black Horse Tavern.

(The Black Horse Tavern no longer exists, but its site on the north side of Massachusetts Avenue between Tufts and Foster Streets in the present Arlington has been marked by a stone tablet.)

APRIL 18, 1775—TUESDAY

Morning

As voted on the previous day, "four six-pounders" were hauled away from Concord and started on the way to Groton, about 18 miles northwest of Concord.

Afternoon

General Gage sent out mounted officers from Boston to patrol the road between Cambridge and Concord. A British patrol of 10 or more horsemen dined at the Black Horse Tavern before riding farther out into the country.

Jasper, a Boston gunsmith, heard about the intended march of the troops from a British sergeant.

John Ballard, a stableman, overheard a remark in the Province House to the effect that there would be "hell to pay tomorrow." The Province House was the residence of the military governor, General Gage.

(The site of the Province House, on Washington Street opposite Milk Street and the Old South Meetinghouse, is marked by a bronze tablet. Built originally in 1667 as a home for Peter Sergeant, a prosperous merchant, it was bought by the Province of Massachusetts Bay in 1715 for a governor's residence. It was used for offices by the State for a time after the Revolution, but was serving commercial purposes when largely destroyed by fire in 1864.)

The cannon sent from Concord arrived at Groton. The Groton minutemen, curious about the arrival of the "6-pounders," assembled promptly and nine of them started for Concord, arriving the next morning long before the British troops entered the town and joining the ranks of the militia who came from points nearer in answer to the alarm.

6:30 p.m.

Solomon Brown, a young man of Lexington who had been to market in Boston, arrived home at sunset with the news that he had overtaken and passed the patrol of British officers on the road. He reported his observations to Sgt. William Munroe, proprietor of the Munroe Tavern.

(The site of the home of Solomon Brown at East Lexington has been marked. The Munroe Tavern, which was the scene of incidents the next day, has been preserved. See appendix C.)

Shortly after, an express rider arrived with a message for John Hancock from the Committee of Safety sitting at the Black Horse Tavern. The British patrol had been seen at Menotomy and their presence was a subject of suspicion.

7:00 p.m.

William Munroe, sergeant of the Lexington Minute Men, collected eight men in his company as a result of hearing the news from these sources and posted a guard at the Hancock-Clarke House.

Richard Devens, of the Committee of Safety, riding toward Charlestown from Menotomy after sundown, met the British patrol on the road to Lexington.

8:00 p.m.

The British horsemen rode through the village of Lexington without attempting to molest John Hancock and Samuel Adams. There is a tradition, however, that three of them, coming into the village, entered the home of Matthew Mead and helped themselves to the day's baking of brown bread and beans. The patrol continued on the old Bay Road to Lincoln.

(The small dwelling occupied by Matthew Mead no longer stands. It was replaced by the later Russell House, part of which dates back to 1779. The Bay Road, also known as the County Road, is part of the Lexington-Concord Battle Road.)

As soon as the British patrol was through Lexington, about 40 minutemen gathered at the Buckman Tavern, which still stands beside Lexington Green.

8:30 p.m.

The British patrol passed the farmhouse of Sgt. Samuel Hartwell of the Lincoln minutemen and was seen by Sukey, a slave girl, who was gathering chips in the dooryard for the next morning's fire. She thought the patrol was a funeral procession and reported it as such to Mary Hartwell. After riding a mile or two farther on the Concord Road, the patrol wheeled about and rode back toward Lexington.

(The Sergeant Samuel Hartwell House remains today.)

9:00 p.m.

The Lexington minutemen sent out scouts on horseback to locate and watch the movements of the British patrol. Elijah Sanderson, later a famous Salem cabinetmaker, Jonathan Loring, and Solomon Brown, who had first spotted the horsemen on the way home from Boston, volunteered for this duty.

10:00 p.m.

The three scouts from Lexington were seized at pistol point by the British patrol in Lincoln and led into a pasture through a barway in a stone wall on the north side of the road. They were held there for 4 hours.

(This site has been transformed, but its acquisition and revival as part of a national historical park is a major proposal of the Commission. The ride of Paul Revere also ended with his capture at the same place 3 hours later.)

The grenadiers and light infantry in Boston "were not apprised of the design, till just as it was time to march, they were waked by the sergeants putting their hands on them and whispering gently to them; and were even conducted by a back way out of the

barracks, without the knowledge of their comrades, and without the observation of the sentries."

Dr. Joseph Warren had the news almost before the British had left their barracks. He sent for Paul Revere and William Dawes, Jr. Dawes came first and was dispatched over the route, longer by 4 miles, to Lexington via Boston Neck, Roxbury, Brookline, Cambridge, and Menotomy. Revere arrived at Warren's house after Dawes had left.

(The site of Warren's house on Hanover Street in Boston is now occupied by a parking lot. A tablet erected in 1898 is missing.)

10:30 p.m.

Paul Revere bade Capt. John Pulling, Jr., have two lanterns hung in the steeple of the Old North Church. He then went home, got his boots and surtout, and hurried to the north part of the town, where he kept a boat and was rowed by two friends across the Charles River "a little to the eastward where the Somerset man-of-war lay."

(The Paul Revere house in North Square, Boston, has been restored. It will be discussed in the final report of the Commission. Captain Pulling resided at the corner of Ann and Cross Streets, 2 blocks from North Square. The home of Robert Newman, the sexton who displayed the signal lanterns on being called by Pulling, stood until 1889 at the corner of Salem and Sheafe Streets near the Old North Church. Joshua Bentley and Thomas Richardson were the two friends who rowed Revere across the river. Their oars were muffled by a petticoat, "yet warm from the body of a fair daughter of liberty," who lived in the Ochterlong Adan house, long since gone at the corner of North and North Centre Streets. Revere's boat was kept near the Charlestown Ferry, at the foot of Prince Street.)

The British detachment of about 700 men assembled at the foot of Boston Common under general command of Lt. Col. Francis Smith of the 10th Regiment and with Maj. John Pitcairn of the Marines in charge of the light infantry. Embarkation in boats on the Back Bay began.

(The place where the troops entered the boats was probably near the present corner of Boylston and Charles Streets, where the shoreline of the Back Bay then extended back from the Charles River. The Back Bay was later filled in and the old shoreline completely lost.)

The British in Boston became well aware of the fact that the secret of the expedition had not been kept successfully. Earl Percy in crossing Boston Common, after being confidentially informed by General Gage that the soldiers were going out and he might be called upon later to follow with a relief force, heard one man say to another, "The British troops have marched but they will miss their aim." "What aim?" inquired Percy. "Why," the man replied, "the cannon at Concord." Percy got in touch with Gage at once and repeated what he had heard.

11 p.m.

Revere arrived on the Charlestown side and was met by Colonel Conant and others who had seen the light of the signal lanterns in the steeple of the Old North Church. Richard Devens of the Committee of Safety was also there and, upon being informed by Revere that the troops "were actually in the boats," procured a horse for him from Deacon Larkin and sent him off "to give the intelligence at Menotomy and Lexington." Before his departure, Revere was told by Devens about the British patrol he had met on the road after sundown.

(Revere landed at a wharf off Water Street, just north of the present Charlestown Bridge and near City Square. From there, he rode out the present Main Street and headed for Cambridge.)

11:30 p.m.

Beyond Charlestown Neck, the present Sullivan Square, Revere was confronted by two British horsemen waiting under a tree at a crossroads, "nearly opposite where Mark was hung in chains." Turning his horse abruptly, Revere galloped back toward the Neck and took the road for Medford, where he awakened Captain Hull of the Minute Men before proceeding to Menotomy, alarming almost every house on the way.

(The British horsemen who barred Revere's path were on Cambridge Street at the present Charlestown-Somerville line. A stone tablet, not too easily seen, marks the spot opposite Crescent Street. At the time, the body of Mark, a Negro slave, executed in 1755 for poisoning his master, Captain Codman, still hung from its gibbet as a warning against crime. After wheeling his horse, Revere rode over the present Broadway in Somerville to Winter Hill, where he bore to the right on Main Street into the center of Medford. His route from there to Menotomy the present Arlington, carried him over High Street. A stone tablet on Winter Hill indicates the fork in the road taken by Revere.)

APRIL 19, 1775—WEDNESDAY

Midnight or soon after

Revere arrived at the Hancock-Clarke House in Lexington. Sergeant Munroe of the Lexington minutemen was stationed at the front door and refused to let Revere pass, stating that the family had retired and did not wish to be disturbed by any noise around the house. Whereupon Revere cried out, "Noise. You'll have noise enough before long. The Regulars are coming out."

12:30 a.m.

William Dawes, Jr., arriving at the Hancock-Clarke House from his longer ride over Boston Neck via Roxbury and Cambridge, set out for Concord with Revere. On his ride, Dawes had managed to elude the British sentries on Boston Neck by mingling in the darkness with some soldiers who were going his way.

After the arrival, first of Revere, and then Dawes, the bell in the belfry that stood on Lexington Green near the meetinghouse rang out the alarm and the Lexington minutemen, about 130 in number, under Capt. John Parker, began to assemble. It took some little time for the men on outlying farms to be summoned and to get to town.

Dr. Samuel Prescott, who had spent the evening with his sweetheart, Miss Mulliken, in Lexington, started on his journey of 6 miles home to Concord. He overtook Revere and Dawes, who were soon satisfied that he was "a high son of liberty."

Dawes and Prescott rode into the dooryard of a house near the Lexington-Lincoln line and, on knocking at the door, found Nathaniel Baker, a Lincoln minuteman, still courting a Concord lass, Elizabeth Taylor, who was visiting there. Baker, who lived in South Lincoln, spread the alarm on his way home. With his father, brothers, and brother-in-law, he was at Concord Bridge in the morning with the Lincoln minutemen. He married Elizabeth Taylor in 1776.

(The site where this incident occurred is for certain included within the boundaries of the proposed park. The Muzzey House, on the north side of the old road not far from the Lincoln boundary, is the only dwelling in the immediate locality today that was in existence in 1775. It was built about 1743. See app. C.)

1 a.m.

Dawes and Prescott were riding about 200 yards behind Revere when the latter was surprised by two British officers in the road near the opening into the pasture where the three Lexington scouts had been taken prisoners 3 hours earlier. Dawes turned his

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
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HIGHLIGHTS: Senate received supplemental appropriation estimate for use of foreign currencies.

SENATE

1. APPROPRIATIONS. Received from the President appropriation estimates and proposed authorizations to use foreign currencies; to Appropriations Committee (S. Doc. 38) (p. 12442). The document includes for this Department a supplemental estimate for fiscal year 1960 of \$8,000,000, to remain available until expended, for the purchase of foreign currencies pursuant to section 104(k) of the Agricultural Trade Development and Assistance Act of 1954, as amended, for carrying on additional agricultural and forestry research overseas. A breakdown of the proposed supplemental estimate is as follows: \$4,410,000 for farm, home economics, and agricultural utilization research; \$2,700,000 for forestry research; and \$890,000 for agricultural marketing research.
2. SUGAR. The Foreign Relations Committee reported without reservation the new International Sugar Agreement (Exec. Rept. 6). p. 12441
3. ACCOUNTING. Concurred in the House amendment to H. R. 6134, to amend the Federal Employees Pay Act so as to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. The House amendment authorizes former Members of Congress appointed to positions

in the Executive branch to receive pay at any step within the grade to which appointed. This bill will now be sent to the President. pp. 12459-60

4. VETERANS; FARM LOANS. Sen. Yarborough spoke in favor of enactment of S. 1138, to provide for readjustment assistance to veterans who served in the Armed forces between Jan. 31, 1955, and July 1, 1963, including authorization for farm loans and on-farm training courses, and inserted tables on the number of World War II and Korean veterans who have received readjustment assistance. pp. 12458-9
5. FARM PROGRAM. Sen. Case, S. Dak., discussed "the many outstanding achievements of the Republican administration," including the farm program, and stated that "Farmers' gross and per capita income for 1958 were at the highest levels in history." pp. 12456-7
6. FOREIGN AID. The "Daily Digest" states that the conferees agreed to file a report on H. R. 7500, the mutual security authorization bill, and includes a table showing the action of the conferees on various items in the bill. p. D627
Sen. Bartlett discussed his reasons for opposing this bill as passed by the Senate. pp. 12460-2
Sen. Wiley inserted a Milwaukee Association of Commerce resolution urging the Government to require foreign economic loans and grants to be used for the procurement of goods and services in this country. p. 12442
7. HOUSING. Sen. Sparkman inserted and discussed articles in the N. Y. Times discussing the President's veto of the housing bill. pp. 12444-6
8. CONSERVATION. The Labor and Public Welfare Committee was granted permission to file a report on S. 812, to authorize the establishment of a Youth Conservation Corps, during the adjournment of the Senate this weekend. p. 12442
9. SURPLUS COMMODITIES; FOREIGN TRADE. As reported by the Agriculture and Forestry Committee, S. 1748, to extend Public Law 480, provides as follows: Extends title I (relative to the sales of surplus commodities for foreign currencies) and title II (relative to the donation of surplus commodities for famine relief in friendly foreign countries), for 1 year until December 31, 1960; increases the authorization under title I by \$1.5 billion (to \$3,750,000,000); and increases the authorization under title II by \$300,000 (to \$1,100,000,000). The committee report contains the following statements:

"A number of suggested changes in Public Law 480 were received from the Department of Agriculture just prior to the meeting at which the committee voted to report out S. 1748, and the committee is informed of many additional proposals to amend Public Law 480. There is no doubt considerable merit in these proposals and they deserve to be very carefully examined. This the committee proposes to do. However, it is essential that the bill be extended, without lapse (as has been the case previously), and the committee felt that a simple extension of the bill should be reported and passed immediately, to be followed by consideration of needed amendments. This will permit orderly programming under the act and permit appropriate consideration of proposed changes. It is the hope of the committee that this bill can be passed without being encumbered with amendments which have not yet received the consideration which the committee proposed to give to them."***

TABLE 5.—Number of veterans of World War II who entered training in each State¹—Continued

State or Territory	Veterans of World War II ²	Total entered training ³	Type of training				State or Territory	Veterans of World War II ²	Total entered training ³	Type of training			
			Institutions of higher learning	Schools below college level	Institutional on-farm	On-the-job				Institutions of higher learning	Schools below college level	Institutional on-farm	On-the-job
Louisiana.....	239,000	155,000	30,700	90,600	16,400	17,300	Ohio.....	858,000	383,100	123,900	170,800	19,500	68,900
Maine.....	83,000	38,700	6,200	14,800	2,400	15,800	Oklahoma.....	214,000	135,000	40,000	38,000	28,000	29,000
Maryland.....	242,000	121,900	35,500	59,900	2,700	23,800	Oregon.....	166,000	77,000	27,000	31,000	5,000	14,000
Massachusetts.....	527,000	246,400	92,100	101,800	500	52,000	Pennsylvania.....	1,164,000	587,700	134,500	327,800	13,200	112,200
Michigan.....	681,000	275,000	88,500	140,800	12,000	33,700	Puerto Rico.....	54,000	43,600	5,100	36,000	1,200	1,300
Minnesota.....	297,000	142,700	44,500	51,300	18,800	28,100	Rhode Island.....	94,000	32,800	12,300	12,800	300	7,400
Mississippi.....	162,000	119,000	26,000	44,000	30,000	19,000	South Carolina.....	163,000	102,000	16,400	49,400	25,200	11,000
Missouri.....	387,000	227,500	51,500	95,200	35,700	45,100	South Dakota.....	57,000	25,500	6,600	6,500	6,500	5,900
Montana.....	58,000	28,900	7,600	8,800	5,000	7,500	Tennessee.....	299,000	203,000	37,000	80,000	41,000	45,000
Nebraska.....	119,000	65,500	16,500	17,600	12,100	19,300	Texas.....	774,000	453,000	137,300	200,400	47,200	68,100
Nevada.....	18,000	7,700	2,200	3,700	400	1,400	Utah.....	72,000	46,000	19,300	13,500	4,000	9,200
New Hampshire.....	55,000	23,300	5,400	8,800	1,000	8,100	Vermont.....	32,000	16,000	4,000	4,200	1,800	6,000
New Jersey.....	555,000	209,600	56,600	123,300	2,700	27,000	Virginia.....	302,000	116,300	27,600	42,500	15,600	30,600
New Mexico.....	72,000	37,400	11,000	15,200	3,800	7,400	Washington.....	230,000	110,900	39,000	51,600	5,000	15,300
New York.....	1,598,000	700,000	263,000	426,000	9,000	92,000	West Virginia.....	190,000	73,600	18,400	28,200	6,600	20,400
North Carolina.....	338,000	195,900	34,300	65,700	49,100	48,800	Wisconsin.....	307,000	131,600	45,200	40,400	12,800	33,200
North Dakota.....	48,000	22,800	6,600	4,600	5,300	6,300	Wyoming.....	28,000	14,400	4,000	4,600	3,000	2,800

¹ Totals and other data rounded.² March 1955.³ April 1955; source data show VA regional office having current jurisdiction of veterans' records. Distribution by State estimated from foregoing.⁴ Includes veterans residing in foreign countries, not identified below.

TABLE 6.—Number of Korean veterans who entered training in each State cumulative through June 17, 1959

State	Total	Institutions of higher learning	Schools below college level	Farm	Job	State	Total	Institutions of higher learning	Schools below college level	Farm	Job
Total.....	2,229,100	1,123,300	798,200	91,300	216,300	Continental United States, total—Continued					
Continental United States, total:						Nebraska.....	22,500	8,800	4,700	6,200	2,800
Alabama.....	57,400	20,600	32,200	1,000	3,600	Nevada.....	2,200	1,500	400	0	300
Alaska.....	1,300	400	900	(1)	(1)	New Hampshire.....	6,000	2,500	2,200	(1)	1,300
Arizona.....	14,100	9,400	3,200	100	1,400	New Jersey.....	51,100	26,300	18,100	(1)	6,700
Arkansas.....	22,000	9,000	6,000	4,100	2,900	New Mexico.....	12,300	6,300	4,700	200	1,100
California.....	218,500	151,000	49,400	1,000	17,100	New York.....	192,500	105,900	68,000	200	18,400
Colorado.....	26,200	16,600	5,400	1,000	3,200	North Carolina.....	58,800	21,000	19,700	8,200	9,900
Connecticut.....	27,700	13,800	8,500	(1)	5,400	North Dakota.....	10,200	5,400	2,600	1,300	900
Delaware.....	3,500	1,600	1,100	(1)	800	Ohio.....	89,700	49,600	28,800	1,500	9,800
District of Columbia.....	28,200	12,400	12,900	(1)	2,900	Oklahoma.....	39,300	24,400	11,000	1,500	2,400
Florida.....	60,800	23,600	31,800	700	4,700	Oregon.....	19,600	12,200	5,700	300	1,400
Georgia.....	61,600	22,100	32,100	2,100	5,300	Pennsylvania.....	134,300	59,800	59,600	500	14,400
Idaho.....	7,700	3,700	2,400	600	1,000	Rhode Island.....	10,300	3,500	5,400	(1)	1,400
Illinois.....	115,200	57,400	41,700	7,200	8,900	South Carolina.....	29,900	8,500	17,400	1,300	2,700
Indiana.....	46,500	27,200	12,600	2,900	3,800	South Dakota.....	12,000	5,400	1,600	4,000	1,000
Iowa.....	31,600	15,100	5,500	7,700	3,300	Tennessee.....	48,900	21,000	17,100	4,900	5,900
Kansas.....	22,900	15,800	3,700	2,300	1,100	Texas.....	130,100	74,200	47,300	3,800	4,800
Kentucky.....	32,600	13,400	12,000	3,800	3,400	Utah.....	19,300	13,000	4,600	400	1,300
Louisiana.....	43,700	16,000	24,000	1,200	2,500	Vermont.....	3,700	1,500	700	300	1,200
Maine.....	7,900	3,000	2,700	(1)	2,200	Virginia.....	31,800	11,700	10,500	3,000	6,600
Maryland.....	27,600	15,500	8,100	300	3,700	Washington.....	35,900	21,400	11,300	200	3,000
Massachusetts.....	72,400	35,800	26,600	(1)	10,000	West Virginia.....	21,300	11,100	5,900	400	3,900
Michigan.....	75,800	43,000	26,500	1,100	5,200	Wisconsin.....	40,500	22,800	8,900	3,100	5,700
Minnesota.....	49,800	22,200	15,000	6,200	6,400	Wyoming.....	3,300	2,100	400	400	400
Mississippi.....	26,700	17,300	6,500	1,400	1,500	Outside United States:					
Missouri.....	59,000	15,700	33,700	4,500	5,700	Territories and possessions, total.....	48,500	10,800	36,200	100	1,400
Montana.....	7,900	4,700	1,300	300	1,600	Foreign, total.....	6,500	6,300	200	(1)	(1)

¹ Less than 50.

Mr. YARBOROUGH. Mr. President, I see the GI bill as a means of persuading thousands and thousands of young men to raise their standards, and this country's standards, through education. I do not believe in crippling this program before it gets a chance to raise those standards, and fulfill our obligations to our cold war servicemen. Let us show we really care for the sacrifices they are making.

WITHIN-GRADE STEP PAY RATES OF FORMER MEMBERS OF CONGRESS IN EXECUTIVE BRANCH OF THE GOVERNMENT

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair) laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6134, which was read as follows:

Resolved,* That the House agree to the amendments of the Senate to the bill (H.R.

6134) entitled "An Act to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years", and concur therein with an amendment as follows:

At the end of the engrossed amendment of the Senate to the text of the bill, insert the following:

"SEC. 3. (a) The amendment made by section 2(a) of this Act shall become effective as of January 1, 1958.

"(b) The amendment made by section 2(b) of this Act shall become effective as of September 2, 1958.

"(c) Retroactive compensation or salary shall be paid, by reason of the amendments made by section 2 of this Act and the provisions of subsections (a) and (b) of this section, only to a former Member of the Senate or House of Representatives who, on the date of enactment of this Act, is in a position subject to the Classification Act of 1949 or the Postal Field Service Compensation Act of 1955, as the case may be, and with respect to whom appropriate administrative action is taken, pursuant to the amendments made by section 2 of this Act

and the provisions of subsections (a) and (b) of this section, to advance such member to a higher step rate of the grade or salary level concerned, as the case may be; and, when such administrative action is taken, such retroactive compensation or salary shall be paid to such former member for all periods from and after the date of appointment of such former member to the position concerned."

Mr. JOHNSTON of South Carolina. Mr. President, on July 6, 1959, the Senate approved H.R. 6134, with an amendment. The amendment was designed to correct an oversight which affects the within-grade step pay rate to which former Members of Congress may be assigned if they accept a position in the executive branch of the Government.

All other employees, including legislative employees, may be assigned a within-grade step rate which is not above the salary they were previously receiving as a Federal employee. This is not the case insofar as Members of Congress are concerned. They must begin at the first

step of the pay grade of the position to which they are assigned.

The Senate amendment would remove this obvious discrimination against Members of Congress.

Mr. President, the bill has been returned to the Senate with a House amendment to the Senate amendment. The House amendment provides an effective date for the Senate amendment. This is necessary in order that it may apply to former Members of Congress currently employed in the executive branch whose salary could not be fixed at the proper step rate of the grade to which they were appointed. The House amendment, by fixing an effective date to the Senate amendment, authorizes appropriate administrative correction to the situation.

Mr. President, as the House amendment simply makes sure that the purpose of the Senate amendment will be carried out, I move that it be concurred in by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

TEMPORARY COMMISSION ON COAL MINE SAFETY

Mr. COOPER. Mr. President, yesterday I introduced a bill which was referred to the Committee on Labor and Public Welfare, and which has been designated as S. 2403.

I had written a short statement in my own handwriting concerning the bill, but because I am certain that my handwriting is difficult to read, several typographical errors occurred in the printing of the remarks in the RECORD. Therefore, I wish to repeat today the statement I made yesterday on the purpose of the bill.

S. 2403 would establish a temporary Commission on Coal Mine Safety, which would conduct hearings on the factors relating to mine safety. The Commission would make recommendations to the President and Congress.

I am certain, from my study of mine safety legislation, that there is a necessity for a thorough review of mine safety statistics to determine their accuracy. There is an imperative necessity to have accurate information about the effectiveness of the present mine safety legislation and actual practices under both the Bureau of Mine Safety and State agencies. It is important to learn what should be done both at the Federal level and the State level by way of legislative enforcement to insure the best possible protection for those who risk their lives every day in the mines.

The Senate Committee on Labor and Public Welfare has scheduled hearings for July 21 and July 22 to consider the bills before it which deal with amendments to the Federal Mine Safety Act, and designed to provide fuller safety for those who labor in the mines.

One of the bills I introduced several months ago for myself and other Senators is S. 1562. A second bill was introduced by the senior Senator from Pennsylvania [Mr. CLARK] for himself and

other Senators, S. 743. In all fairness, I must say that I will support S. 1562, which I introduced several months ago.

But I introduced the bill yesterday because I desire to secure from the appropriate agencies of the Federal Government an opinion as to its value and also an opinion as to the necessity of the procedures which are established in S. 2403 and, I may say, in the bill which I introduced, S. 1562.

One of my objections to S. 743 is that it does not go to the root of the problem of mine safety. It does not attempt to discover methods by which mine safety can be better assured.

The bill I introduced several months ago, S. 1562, would insure that all mines, including mines employing less than 14 miners, could be closed immediately whenever imminent danger was discovered.

It will also require the best study of mine safety measures that has been undertaken in many years. I hope the mine operators, the United Mine Workers of America, and all other mine-workers will give it their support.

THE MUTUAL SECURITY ACT

Mr. BARTLETT. Mr. President, I ask unanimous consent that I may speak for a few minutes exceeding the limitation fixed for remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. BARTLETT. Mr. President, when a Member of the Senate casts his vote, as I did, on important proposed legislation such as the Mutual Security Act of 1959, I believe it appropriate for him to indicate the reasons for his vote.

All of us know that the mutual security program has made many worthy projects possible. Its objectives are sound. No sound alternative to the mutual security concept has been proposed.

Moreover, Mr. President, I believe that the Committee on Foreign Relations, under the able leadership of the junior Senator from Arkansas, improved greatly the mutual security program proposed by the President. The committee gave greater emphasis to NATO, to the economic objectives of the mutual security program, to the desirability of limiting the secrecy which enwraps foreign aid, to curbing the use by dictators of American aid for the purpose of repressing aspirations for political freedom, and to the promotion of multilateral and regional programs. I supported the committee's efforts to finance the Development Loan Fund on a reasonable, long-term basis.

These emphases by the committee represented a wholesome influence upon mutual security. In my judgment, however, they did not go far enough toward the new directions which the program so badly needs. I cast my vote to express my conviction that the mutual security program should reflect America's affirmative belief in the principles of free government, and should not be a mere stopgap, negative counterpunch to any particular brand of totalitarianism. I cast my vote also to emphasize the necessity of bringing mutual security more

closely under the control of the Congress, as representing the American people.

The provision in the bill that "internal security requirements shall not be the basis for military assistance programs to American Republics" is a good expression of sentiment, but an ineffective safeguard of one of the vital principles to which I refer. As long as we continue to offer military aid to totalitarian regimes—upon whatever basis we do so—we may be sure that our military assistance will be used to suppress popular discontent and democratic ferment. I believe that American foreign aid should offer the alternative of liberty and economic progress to people who would know—without such aid—only a choice between poverty and tyranny. I cannot support foreign aid that does not stimulate or protect free institutions, and which indeed reinforces dictatorships.

If it should be suggested that the senior Senator from Alaska desires to "police" the morals of the world, I would reply that it is possible to be neither a policeman, nor an abetter of wrong. Even in this age of cultural relativism, I am not ashamed or embarrassed to stand in the Senate and proclaim my belief in free government and my hope that freedom—adapted to local cultures and conditions, to be sure—will be a reality enjoyed by more and more of our fellow human beings all over the globe.

Moreover, Mr. President, I cannot reconcile the position taken by this administration—which underdefends vital areas of the United States—such as the State of Alaska—and which refuses to maintain a standing Army at the level desired by Congress—that the existence of less skilled, less reliable, and more poorly equipped ground troops in such areas as Central America is imperative to our national security.

Nor, Mr. President, can I believe that the provision in the bill which requires the President to "make public all information concerning the mutual security program not deemed by him to be incompatible with the security of the United States" is more than hollow phraseology. We can anticipate no change in the exercise of executive privilege, which has been taken always in the name of national security.

The basic issue—not only in respect to H.R. 7500, but in respect to America's present situation as a whole—is whether we believe democracy, as a way of life, is fit to do battle in the cold war, or whether—out of a vague fear that democracy may be an anachronism—we shall compromise it for the sake of "security" and "efficiency." The cardinal questions of our time are "security for what?" and "efficiency for what?" Parenthetically, surely those who know America as the citadel of liberty blinked in disbelief when this body voted to deny aid to nations which expropriate U.S. property, or property owned by U.S. nationals, and voted immediately thereafter to continue aid—and moreover, to reject even the suggestion of the advisability of restricting aid—to countries that deny human rights to American citizens.

Public Law 86-122
86th Congress, H. R. 6134
July 31, 1959

AN ACT

73 Stat. 268.

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 604(b) of the Federal Employees Pay Act of 1945 (59 Stat. 303; 5 U.S.C. 944(b)) is amended by striking out the following sentence: "When a pay period for such officers and employees begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period."

Federal employees, pay periods.

SEC. 2. (a) Section 802(c) of the Classification Act of 1949, as amended (5 U.S.C. 1132(c)), is amended by inserting after the words "service as such an employee," the following: "and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member,".

72 Stat. 151.

(b) Section 501(b) of the Postal Field Service Classification Act of 1955, as amended (39 U.S.C. 991(b)), is amended by inserting after the words "service as such an employee," the following: "and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member,".

72 Stat. 1761.

SEC. 3. (a) The amendment made by section 2(a) of this Act shall become effective as of January 1, 1958.

Effective dates.

(b) The amendment made by section 2(b) of this Act shall become effective as of September 2, 1958.

(c) Retroactive compensation or salary shall be paid, by reason of the amendments made by section 2 of this Act and the provisions of subsections (a) and (b) of this section, only to a former Member of the Senate or House of Representatives who, on the date of enactment of this Act, is in a position subject to the Classification Act of 1949 or the Postal Field Service Compensation Act of 1955, as the case may be, and with respect to whom appropriate administrative action is taken, pursuant to the amendments made by section 2 of this Act and the provisions of subsections (a) and (b) of this section, to advance such Member to a higher step rate of the grade or salary level concerned, as the case may be; and, when such administrative action is taken, such retroactive compensation or salary shall be paid to such former Member for all periods from and after the date of appointment of such former Member to the position concerned.

Retroactive salary.

63 Stat. 954.
5 USC 1071
note.
69 Stat. 88.
5 USC 951
note.

Approved July 31, 1959.

